The LIFE *and* PUBLIC SERVICES *of* J. GLANCY JONES

The LIFE
AND PUBLIC SERVICES
of
J. GLANCY JONES

BY

CHARLES HENRY JONES

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CHAPTER XXI.

Organization of the Thirty-fifth Congress—Mr. Jones is appointed chairman of the Committee of Ways and Means—The arduous duties of his position—Congress meets for the first time in the new wings of the Capitol—The old Hall of Representatives—Letter to the Democrats of Philadelphia—The admission of Kansas as a State under the Lecompton Constitution—Mr. Jones is serenaded and makes a speech after the admission of Kansas into the Union.

THE first session of the Thirty-fifth Congress met at Washington on the 7th of December, 1857, and James L. Orr of South Carolina was elected Speaker of the House. The vote was as follows:

James L. Orr, Democrat	128
Galusha A. Grow, Republican	84
Felix K. Zollicoffer	3
Lewis D. Campbell	3
H. Winter Davis	2
James B. Ricaud	2
Humphrey Marshall	1
Francis P. Blair, Jr	1
Valentine B. Horton	1

There were in this Congress 128 Democrats, 92 Republicans (among whom was that bold Abolitionist, Owen Lovejoy), and 14 Native Americans; from which it will be seen that the opposition to the Democratic party, which was divided into so many factions at the opening of the last Congress, had been gathered into the ranks of the Republican party, which had been organized at Cincinnati in 1854, and that this new party had suffered a signal defeat. It will be observed, also, by the large Democratic majority, that the country had endorsed the repeal of the Missouri Compromise, the existence of slavery in the Territories of the United States, and the right of the people of the Territories to settle the question of slavery for themselves, at the proper time, within their own borders.

Mr. J. Glancy Jones retained his position as the recognized leader of the House by his selection as chairman of the Committee of Ways and Means. It is not possible in the limited space of a biography to convey to the reader, by the citation of one or two speeches, any idea of the ability, labor, and parliamentary skill required upon the floor of the House from the man who, as chairman of the Committee of Ways and Means, has charge of all the legislative measures that are necessary for the administration of the Government. His name appears very frequently upon the records of the proceedings of the House. He en-

counters difficulties at every step, in the form of amendments, opposition, and criticism. He must be equipped with a thorough knowledge of the workings of the Government in all its departments, not only in their customary but in their extraordinary details. He must be prepared with readiness to repel the attacks of the skilful and able members of the opposition, who at every turn seek to embarrass the party in power, and he must also be prepared to answer those who seek for information. The arrangement of the business of the House is largely under his control, and he must see to it that the time of the House is not wasted, and that the measures in his charge get through without hindrance or delay. It is no wonder this position is universally conceded to be one of the most difficult, responsible, and distinguished places in the machinery of the Government, and that the man who fills it should be regarded as the leader upon the floor of the House. Mr. Jones, when he came to this position, was well equipped with the necessary legislative experience, acquired in his service through six sessions of the House, and he discharged the duties of this high position with distinguished ability and success through the long session of the Thirty-fifth Congress. His fellow-members upon the Committee were John S. Phelps of Missouri, Nathaniel P. Banks of Massachusetts, John Letcher of Virginia, Lewis D. Campbell of Ohio, H. Winter Davis of Maryland, John Kelly of New York, William A.

Howard of Michigan, and James F. Dowdell of Alabama.

This was the first Congress that occupied the new wings of the Capitol building. The House met for the last time in the old Hall of Representatives—that grand old hall, with its semicircle of massive gray columns and its half-dome overhead, its row of elevated desks at the back, between the columns, where the sons of the members often used to sit, and its deep galleries for spectators, with their heavy draperies, behind the columns, and the Speaker's chair. It is so rich in its associations, and was such a dignified and appropriate place for the deliberations of the Representatives of a great people, and such a suitable setting for the brilliant scenes that were enacted there in the first half-century of the nation's existence. How favorably does this old Hall compare with the plain quadrilateral chamber that has taken its place!

The House removed to its new Hall in the south wing of the Capitol on Wednesday, December 16, 1857.

During this session Mr. Jones occupied with his family a residence at No. 476 H Street.

After the meeting of Congress Mr. Jones was invited to address a meeting of the Democrats of Philadelphia, but the laborious duties of his position as chairman of the Committee of Ways and Means made this impossible. He therefore wrote the following letter declining the invitation:

WASHINGTON, Dec. 26th, 1857.

GENTLEMEN: I have the honor to acknowledge the receipt of your invitation to attend a meeting of the Democracy of Philadelphia, to be held on Monday next, for the purpose of sustaining the message of the President. I regret that my duties here compel me to forego the pleasure it would afford me to accept your invitation. The message is one which has my hearty and cordial approval. The doctrine of popular sovereignty is now a settled and integral part of the Democratic creed; so, also, is its correlative, that of non-intervention by Congress in the domestic affairs of the Territories. As ours is a government of law and order, the popular will of the Territory can only be known through its legal representatives.

The mode and manner of conveying that will to the Federal Government, belongs exclusively to the people of the Territory. If *they* direct that it shall be made known only through the popular suffrage, ratifying the acts of their representatives, it can be received in no other form. If they authorize their representatives to speak for them, without submission, or by partial submission to the popular vote, it is alike binding; for while, in each and every case, we have no right to dictate, suggest or intervene, I consider it the highest attribute of popular sovereignty to allow the people of a Territory, not only to form and control their own domestic institutions, but to do this in their *own way*, and not the *way* that Congress may suggest. Kansas has done this. The President has no legal knowledge of the popular will there, except through its own chosen representatives. If he were to reject or disregard this, it would not only nullify the acts of popular sovereign-

ty, communicated to him through legitimate channels, but it would be intervention with a high hand, and an Executive usurpation far more odious than Congressional. The new doctrine that the popular will cannot be made known through its own chosen agents, if it be their will so to do, is an abridgment of sovereignty—a limitation of the power of the people, imposed on them by Congress, which assumes, without Constitutional authority, to exercise it. It is setting up a higher law than the Constitution, inasmuch as it abrogates the whole system of representative government.

I recognize in the people of Kansas, when they are sufficiently numerous, the absolute right, in the exercise of sovereign power, to settle their domestic institutions; and I recognize it as one of the highest attributes of that sovereignty, that they may choose their own *way*, their own *mode* and *manner*. If the Executive or Congress can dictate the manner, or compel them to select a particular mode, other than that of their own choosing, then popular sovereignty is a farce. If the agents abuse the trust, to whom are they responsible? To the *people*, if they are sovereign—to *Congress*, if the people are not sovereign. If the Constitution of Kansas is not acceptable to the people of Kansas, it is easy for them to change it; popular sovereignty concedes them that right. But if Congress attempts to change it, Congressional sovereignty supersedes popular sovereignty, and the battle of 1856 has been fought in vain. I have no regard for the Lecompton Convention, or its Constitution, except so far as it is the manifestation of the will of a sovereign people, made known through their own agents. It is

because I am bound to regard this Constitution as the act of the people, and not of the Convention, that I accept it. I acknowledge the right of the people of Kansas to abrogate, alter, or amend this Constitution. I deny that right to the Executive, or to Congress. With these views, my sympathies and feelings are with you.

Very truly yours,

J. GLANCY JONES.

TO GEORGE PLITT, ESQ., and others, Committee.

Among other things, Mr. Jones took a deep interest, while he was chairman of the Committee of Ways and Means, in the building of the dome of the Capitol at Washington. Captain Montgomery C. Meigs, who built it, having learned that he entertained some doubt of the security of the foundations, wrote to him the following letter:

WASHINGTON, D. C., 24th June, 1858.

HON. J. GLANCY JONES,

Reading, Pa.

MY DEAR SIR:

Mr. Houston called to-day and told me he had letters from you showing that you had some uneasiness about the Dome and the strength of its foundations.

There has been much talk on this subject, I am informed, though I supposed I had put an end to it by a report made to the Committee of Ways and Means on the 5th of March, 1856. It is Mis. Doc. No. 65, 34th Congress, 1st Session.

The fact is that the Dome rests upon a wall 5 feet

thick and 300 feet long, which gives, upon each square foot, a pressure of only about 10,000 lbs.

There are Domes in Europe upon which the pressure is 90,000 lbs. to each square foot, or nine times as great, and I do not believe the masonry is any better, for the masonry of such buildings as Saint Paul's, and others of that time, is not good.

They had not the habit of using as freely as we do hydraulic mortar. The upper part of the masonry of this Dome was built by myself, and is such a piece of brick-work as is not to be found elsewhere.

The bricks are laid in cement mortar and are bonded together by hoop iron bands. By the use of this system, Mr. Brunel built for an experiment a half arch projecting 60 feet from the face of a pier like a bracket; an arch which, if completed by building from another pier the remaining half to meet it, would have been a brick arch of 120 feet span and twelve feet rise. This brick masonry of the Dome, it is true, rests upon the old walls of the Rotunda, but these are much larger below than above, and have had 30 years to settle and harden.

The whole weight is not much greater than that which the keel and keel-blocks of the Minnesota Steam Frigate supported when ready for launching. If a wooden keel of 300 feet in length and only some 18 inches in width could carry this weight, certainly it seems probable that a stone and brick wall of 5 feet width and 300 feet length should be able to carry it.

The Dome has not made as much progress as I could wish. I have had some difficulties in making contracts. These, I hope, are out of the way. I have had much intrigue to meet lately, and perhaps I have

given too much attention to it, to the injury of my work. Had I been less harassed I should have had the Dome further advanced. While I wish to relieve your mind from any doubt as to the stability of the Dome, I do not wish this other matter mentioned.

I have had, always, an efficient support from you in my work, and I believe I have had this, partly because you took some interest in the success of a Pennsylvanian, but principally because you wished to see an honest man show that it was possible to support such a position in Washington, and resist the attacks of the speculators who throng the places where public money is spent and public contracts are given out.

I therefore write these few lines to assure you that I have carefully studied the matter of the foundations of the Dome, and that I do not think the structure a bold one.

There were plenty of people who, when Michael Angelo was building the Dome of Saint Peter's, thought it would never stand, and I know that when Wren was building Saint Paul's in London, he was far worse beset than I have been. Poor Barry was set almost crazy by disputes at the British Houses of Parliament.

I am very truly and respectfully yours,

M. C. MEIGS,
Captain of Engineers in charge of the Dome.

The last scene in the Kansas-Nebraska drama was enacted at this session of Congress. The regular territorial Legislature of Kansas had ordered an election to be held in October, 1856, to determine whether it was the will of the people that a State constitution should be framed. At

this election the anti-slavery party which supported the revolutionary government at Topeka still refused to vote. It was decided at that election that a convention should be held. In pursuance of this result, the regular territorial Legislature passed a law directing an election to be held in June, 1857, for delegates to a convention to frame a State constitution. Nine thousand two hundred and fifty-one voters registered in pursuance of this law, which was a perfectly just and fair law in all its provisions. At this election the anti-slavery party still persisted in its refusal to vote. It still continued, in open rebellion, notwithstanding the action of the last Congress in refusing to recognize it, to maintain its revolutionary government at Topeka, and to defy the regular territorial government. It went still further, and started an insurrectionary movement in the town of Lawrence, the hot-bed of Abolitionism in the Territory, which was only prevented from extending further by the intervention of United States troops. General Lane, the military leader of the anti-slavery party, undertook, by the authority of the Topeka Legislature (which was assuming to act as a State Legislature, notwithstanding the rejection of its constitution by Congress), to organize a volunteer military force, by the enrolment of the insurrectionists, for the purpose of defeating the Constitution and laws of the United States and resisting the laws passed by the regular territorial Legis-

lature. This regular territorial government, it will be remembered, had been established by Congress, and was recognized and supported by the President and the Congress of the United States; and the action of the anti-slavery party in setting up a hostile State government within the territory was treasonable in its character and utterly subversive of the authority of the Government of the United States, and those who encouraged it were encouraging anarchy, with all its evil consequences. It was not a question whether the action of the regular territorial government was wise or just. It was a question whether it is the duty of the citizen to submit to the authority of a government regularly established over him by the laws of the land, and to obey the law, whether it accords with his private judgment or not.

At this election a large majority of pro-slavery delegates were elected to the constitutional convention. This convention, which was the only legally constituted one held in the Territory, met at Lecompton and framed a constitution, which provided for the existence of slavery. The schedule to the constitution provided for the submission to the people of the question whether or not slavery should exist in the prospective State. All this transpired during the recess between the adjournment of the Thirty-fourth Congress and the meeting of the Thirty-fifth Congress, in December, 1857. The election was ordered to be held on December 21, 1857, and the

ballots to be cast were to read, "Constitution with Slavery," or "Constitution with no Slavery." But the adherents of the revolutionary Topeka government, having determined to defy all other authority in the Territory, refused to take any part in this election. Accordingly, the result of the election showed 6226 votes in favor of slavery, and 569 votes against it. This constitution also provided for the holding of an election on the first Monday of January, 1858, for a Governor, other State officers, a Legislature, and a member of Congress. The anti-slavery party, abandoning its former revolutionary attitude, and thereby recognizing the authority of the regular territorial government and the constitution which it had prepared, decided to vote at this election, and a very warm contest followed, which resulted in the triumph of the anti-slavery party, and placed under its control the new State government. It is apparent from this that there was no foundation for the charge that a fair election could not be held under the laws of the regular territorial government.

The Lecompton constitution was received by the President January 30, 1858, and was submitted by him to Congress February 2, 1858, with a message recommending that Kansas be admitted into the Union under that constitution. The Kansas-Nebraska question was now before Congress again, intensified in its bitterness by the events which had occurred in the Territory and

by the agitation of that question throughout the country. Congress had provided by the act of 1854, organizing the Territory, that it should be allowed to settle its own domestic affairs, including the question of slavery, in its own way. The people had now done so, through their regularly organized government and laws, and by elections regularly held in the only way and by the only authority that the President and Congress had authorized, recognized, and sustained. The objection urged to this constitution was, not that it had not been regularly formed and adopted, but that it did not represent the views of a majority of the people in the Territory, because certain people there had refused to vote upon the questions involved. There was no allegation that they had been prevented from voting. They had been urged to do so, and ample opportunity had been afforded them. How was it to be ascertained now whether their statement was true? The opponents of slavery had refused to avail themselves of the only opportunity for ascertaining this fact. There was now no means by which their numerical strength could be ascertained. There was nothing for Congress to do but to accept the return of that election as the expression of the sentiment of the people of the Territory, as the returns of all other elections are accepted. Congress could not now recognize these objections without assuming to regulate the domestic affairs of the Territory, which it had expressly disclaimed the right

to do. It was bound to accept the result at the polls as the expression of the will of the people of the Territory. Those who had refused to avail themselves of the privilege of voting could not now ask to be heard. They had lost their opportunity by their own choice. It could not be expected that Congress should undertake to say what the strength of the opponents of slavery in the Territory was, when those opponents had refused to show their strength in the only manner provided by the Constitution and the laws for its expression. The elections were regular, and had been duly held in pursuance of law. Congress had declared, in the act for the organization of the Territory, against the intervention of Congress in the question of slavery in the Territory, and had provided a means by which the residents of the Territory might determine that question for themselves. It had been determined by them, strictly and regularly, in conformity with those means. The constitution was republican in form, and the only thing left was for Congress to admit Kansas as a State under that constitution, and leave the State to dispose of the question of slavery afterwards. That was the only regular and lawful course to pursue.

The question whether slavery was right or wrong was not before Congress. But like every other question in which slavery was involved, it could not be considered fairly and dispassionately. Whenever the prejudices and passions of

the opponents of slavery were aroused, they could see nothing, in their excitement, but the evils of slavery. All forms of reason and law were ignored by them, and when they were forced to admit that the Constitution and laws of the land furnished the only light by which that question could be considered, they proclaimed that the Constitution was a "league with death and a covenant with hell," and they invoked "a higher law" than the Constitution. The President's message was followed by a debate which lasted over three months, and was bitter and denunciatory on both sides. The Abolitionists renewed their assaults upon slavery and the South with increased violence, and the Southerners resented them with intense feeling. The sessions often ran into the night. The excitement rose as the debate progressed. The action of State legislatures and other bodies throughout the country poured in upon Congress. Petitions of citizens were presented. Members of Congress were appealed to and importuned by their constituents. No Congress, probably, had ever been subjected to such an ordeal before. Mr. J. Glancy Jones took a firm stand in favor of the admission of the State under the Lecompton constitution. As the recognized leader of the Democratic party in the House, he used his influence constantly with his fellow members to secure the passage of the bill, which passed the Senate May 4, 1858, by a vote of 31 to 22 (Mr. Douglas being the only Democrat who voted against it), and the

House by a vote of 112 to 103, a strict party vote, with the exception of a few followers of Mr. Douglas, among the Democrats, who voted in the negative.

Mr. Douglas took the unsound position, at this stage of the Kansas-Nebraska controversy, that the people of a Territory might, at any time while the Territory remained in a territorial condition, determine the question whether or not slavery should continue to exist there. He did not deny the right of the slaveholder to take his slaves there, but he contended that he had no right to hold them there after the people of the Territory had abolished slavery. This was called "Squatter Sovereignty." He claimed for the citizens of a Territory the same rights that belonged to the citizens of a State. If, as the legislative, executive, and judicial branches of the General Government had determined, a citizen of any State had a right to take his property there, no matter what the character of that property might be, because the Territory was common ground and belonged to all the citizens of the country alike, clearly the citizens of the Territories could have no control over that question while the Territory remained in that condition. That right became theirs only when they were admitted into the Union as a sovereign State, under a constitution framed by them.

Although this doctrine of "Squatter Sovereignty" had been repudiated by the Cincinnati

platform of the Democratic party, upon which Mr. Buchanan had been elected to the Presidency, Mr. Douglas stoutly maintained it, and stood upon it alone, against his party, in voting against the admission of Kansas under the Lecompton constitution; and his views afterwards became the doctrine of by far the larger part of the Democratic party of the North, who were known for that reason as Douglas, or Anti-Lecompton, Democrats. He had but few followers in Pennsylvania, however. In the Pacific States and Connecticut the Democratic vote was about equally divided, but in New England and the Middle West the majority of the party were overwhelmingly in accord with his views. It was upon this issue that the Democratic party split at the Charleston Convention of 1860, which made the election of Mr. Lincoln possible. Had it not been for this heresy, the united Democratic party might have saved the Union and avoided the Civil War.

By the preamble to the act, Congress recognized the Lecompton government of the Territory. An ordinance had been submitted to Congress with the constitution which provided for a cession of public lands to the Territory six times greater than had been granted to any other State. The grant amounted to upwards of 23,000,000 acres. The preamble declared that this ordinance was not acceptable to Congress, and it was declared by the act that Kansas was admitted to the Union

on an equal footing with the original States, under the proposed constitution, with this "fundamental condition precedent," namely, that the people of the Territory should first vote upon the proposition to reduce the grant of the public lands. If they agreed to the reduction, the President, without any further proceedings upon the part of Congress, should, by proclamation, declare Kansas to be admitted into the Union. If they did not agree to the reduction, Kansas should not be admitted. At an election held August 2, 1858, the proposition was rejected, and the Lecompton constitution fell. It was not until January 29, 1861, that Kansas was admitted to the Union, as a free State.

There was great rejoicing in the city of Washington over the passage of the bill admitting Kansas into the Union under the Lecompton constitution. The people paraded the streets with a band of music and serenaded Mr. Jones at his residence. Mr. Jones, being loudly called for, appeared, and delivered the following speech:

GENTLEMEN: I am deeply sensible of the honor you have done me in this mark of your appreciation of my efforts to aid in securing the passage of the bill for the admission of Kansas into the Union. It has cost our friends a good deal of intense labor, but labor is well spent in so good a cause; but why has the country, from one extreme to the other, been so intensely interested in this great measure? Was it because the admission of a new State into the Union was such an

extraordinary event as to agitate the popular mind like the upheavings of the ocean? Certainly not. The admission of Kansas into the Union under the Lecompton constitution was one of a series of those measures which test the devotion of the American people to the Constitution and the Union. It was the sublime spectacle, after months of painful suspense, exhibited in the halls of Congress by the representatives of the true patriotism of our common glorious country, in yielding up their personal and peculiar views, but not principles, to offer on the common altar of their country their devotion to that Union which their patriotic sires had founded in this heaven-born spirit of mutual concession for the welfare of the common brotherhood.

You do not expect from me on this occasion a lengthy speech—it would be both out of time and place—but I have already remarked that the passage of the Kansas bill was one of a series of measures which have at various periods in our country's history tested severely the stability of the Union.

The Missouri Compromise of 1820 inaugurated a peace policy, with the purest motives of its authors, the evils of which thirty years of prudential counsels and energetic labor have scarcely overcome. The Compromise Measures of 1850 ignored that restrictive line; the enactments of that Congress rendering it null and void by construction. The Nebraska act of 1854 simply proclaimed this construction, and boldly asserted the doctrine of popular sovereignty—that the people of the Territories should be left free to form and regulate their domestic institutions in their own way, to the exclusion of Congressional intervention. To the able and patriotic inaugural of our distinguished Chief

Magistrate we owe the bold and manly political avowal of the true construction of the Nebraska bill—that popular sovereignty means the recognized right of the people of a Territory, when sufficiently numerous to constitute a sovereign State in the confederacy, and not till then, to form and regulate their domestic institutions—a construction also sanctioned by the highest judicatory of the land.

It was reserved for the Thirty-fifth Congress to consummate this series of measures, carrying out the suggestions of the clear and able special message of the President to fix the limits of non-intervention by Congress. The Nebraska act extended it to the domestic institutions of the inchoate State. The act of yesterday determines it shall stop there, and that the supremacy of Congress, by direct intervention, shall be unquestioned beyond that. By the Nebraska act Congress is forbidden to touch the constitution, or even to submit it to a vote of the people, that being within the exclusive province of the State itself; by the act of yesterday Congress does submit the land ordinance to a popular vote, thus asserting full jurisdiction over the public lands, boundaries, &c., in which, as the custodian for the State, it ever will intervene when the faithful execution of the trust requires it. I regard this, my fellow-citizens, as the consummation of our policy in relation to the whole subject of territorial rights and Congressional jurisdiction. Our country may now repose in peace, in this final settlement of its domestic policy, and every man in the land may rejoice in the assurance of the security of life, political equality, and the safety of his property.

It is a peculiar honor to the administration of James

Buchanan that this vexed and dangerous question should be settled under his auspices. I have but to add, that, after the admission of Oregon, the population of which may be short, I hope to see the policy settled, at least by the Democratic party, that no State shall be admitted into the Union hereafter without a population sufficient to entitle it to at least one representative in the House of Representatives, as fixed by the last preceding apportionment. I have been longer than I intended when I began, and again tender you my thanks. I bid you good night.

CHAPTER XXII.

Remarks of Mr. Jones in the House of Representatives upon the agreement with the Sioux Indians—The tariff—The revenue—The postal system—The panic of 1857 and the loan bill—The admission of Minnesota as a State into the Union.

WHEN the appropriation bills were before the House, Mr. J. Glancy Jones spoke as follows:

The report of the Committee of Ways and Means on these amendments has been mislaid, and I will state the action of the committee as the amendments are read.

First amendment. Add as a new section:

"To enable the Secretary of the Interior to perform the engagements and stipulations of General Harney, made with the Sioux Indians at Fort Pierre, in 1856, $72,000."

One hundred thousand dollars was asked for. The Committee of Ways and Means recommend a concurrence in the amendment.

I will make a short statement of the reasons for this appropriation. The documents I have on the subject I will append. It appears that in 1856, General Harney, then in command of the military force of the United States, in order to secure amicable relations with various bands of the Sioux Indians, agreed to the enlistment into the Army of certain Sioux Indians. A list of them was sent to the War Department here. And,

in that agreement, he stipulated that they should have uniforms, rations, and various other things; the policy being to have portions of all the various bands of Indians connected and dovetailed into the Army, so as to keep them continually in check, and to keep our Indian relations upon an amicable footing. He made the promise, but it has never been fulfilled; and it was in consequence of this non-fulfilment that the difficulties arose with the Sioux band last summer. They threaten to renew those difficulties this summer, and the Secretary of the Interior, together with the superintendent of Indian affairs, earnestly recommend an appropriation of $100,000 for the purpose of carrying out the agreement of General Harney. The Senate thought $72,000 would be sufficient, and they placed that amount in their amendment. The Committee of Ways and Means recommend a concurrence.

MR. CRAWFORD. There is one difficulty in the way of giving my support to this appropriation of $72,000. I am perfectly willing to pay that sum to the Sioux Indians as a present, or, if this Government has at any time authorized General Harney to make a promise to the Sioux Indians, to give it to them. But my difficulty is in reference to the authority vested in General Harney to make a promise to the Sioux Indians that this Government would give to them, for the purpose of securing a check upon that tribe, some seventy-two thousand dollars. If the head of the Ways and Means Committee can suggest to the Clerk any portion of that document which he has which shows the authority by which General Harney made the promise, I should like to hear him read it, and then I will give this amendment my support. I have never seen any

authority, and I presume the chairman of the Ways and Means has not.

If our officers are to be permitted to make promises to the Indians, or to anybody else, without authority of law, to pay them seventy-five, one hundred, or two hundred thousand dollars, we have no control over the Treasury. I ask my friend if he can show me the authority for this promise.

MR. J. GLANCY JONES. I think I understood my friend from Georgia, the other day, to say that if he were in command of the vessels in the Gulf, and he understood that a British man-of-war was boarding our vessels, he should not wait for orders from Washington before he resented it. Apply that principle to this case. General Harney is sent out among these savage tribes as commander-in-chief of them, of the Army of the United States. They look to him as the representative of this Government. Of course, being savages, they have no conception of the powers with which he is clothed. They meet him clothed with military power, and he tells them that if they do certain things which he believes to be for the interest of this Government, he will recommend to the Government to appropriate money enough to enlist them into the regular Army and to secure peace. He does this thing, of course, subject to the approval of this Government. He makes the arrangements for the good of the country, and he reports the facts to his Government. The thing is neglected, and the Indians complain. But that is not all. These documents inform you that the white citizens upon our frontier tell us that in consequence of your having withdrawn the troops from the frontier, no white man is safe, either in life

or property, for a single day; that the Indians are assembling upon the Yellow Medicine, in numbers something like ten thousand, alleging that the United States has broken faith with them. They are prepared to deluge that country with blood. Now I want to know if Congress is willing to see our frontiers, unprotected by military force, the scene of Indian barbarities and cruelties for the want of a small appropriation of money; and then come here next Congress and be told that although you were apprised of these facts, you chose to let our citizens be destroyed, merely because you had not ascertained whether General Harney had the right to do a certain act to save the lives of your citizens. But to put the committee in possession of all the facts, perhaps the communication from the Department had better be read.

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MR. J. GLANCY JONES. I move that the message of the President be laid on the table and ordered to be printed. I will remark in connection with it that the message is based on the supposition that the House will not finish the appropriation bills till, perhaps, some late hour to-night. There are yet unfinished the Indian supplemental bill, the naval bill (on which the House disagreed to the report of the Committee of Conference), the revenue bill (which need not occupy twenty-five minutes), the Post Office bill (which is passed by the House and the amendments acted on by the House), the mail steamer bill (which is now before a Committee of Conference), the bill for the three regiments of volunteers, and the loan bill.

MR. COMINS. And the light-house bill.

MR. J. GLANCY JONES. I do not include that.

That belongs to the gentleman from Massachusetts. The loan bill has been kept back for one simple purpose. It is the desire of the Executive branch of the Government to ascertain, outside of the estimates of the Secretary of the Treasury based on existing laws, what will be required for the public expenditures. There is a contingency left open for the legislation of Congress on private bills, and on such public bills as may appropriate more than the estimates. Now, I propose, if it be the will of the House, to adjourn on Monday at twelve o'clock. [Cries of "Good!"] I think it can be done. But in order to do it, this programme will have to be adhered to. In the first place, I propose to take up the loan bill to-day, and pass it at $15,000,000. I propose to take up, not the Senate bill, but the House bill, and on its being sent back it will be open to amendment in the Senate, and can be kept there long enough to permit the appropriation bills to be figured up, so that the Administration may know the amount of contingencies arising from increased appropriations. I propose, therefore, to take action on the revenue bill, and on the loan bill, and on the bill to amend the Sub-Treasury law, and on the balance of the appropriation bills. My opinion is, that the House can pass intelligently on all these bills before four o'clock to-day, and if that is done, I believe that we can adjourn on Monday at twelve o'clock. [General shouts of "Good!"]

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Mr. J. Glancy Jones. If the committee will indulge me for a short time, I will endeavor to confine myself to a few sober facts in relation to the finances of the country. It might not, perhaps, be inappropriate to say to the gentleman from Massachusetts [Mr. Burlin-

game] that, as he has made a war speech, I shall expect him, when called upon, to respond to all claims for expenditures for such a purpose. I do not propose now, Mr. Chairman, to make a lengthy speech on the question. I know that the House is impatient to get through public business, with a view to an early adjournment. I shall content myself now with a simple statement, availing myself of the privilege of adding to it in print, if I see proper. [Cries of "Agreed."]

MR. SICKLES. I beg to ask the gentleman from Pennsylvania to give me a portion of his time, that I may make a few remarks in reply to the gentleman from Massachusetts. [Cries of "No, no!" "Object!"]

MR. KUNKLE, of Pennsylvania. If the gentleman makes a war speech, we want all around to make war speeches.

MR. SICKLES. I want to make a peace speech.

MR. KUNKLE, of Pennsylvania. I object, and hope my colleague will not yield.

MR. J. GLANCY JONES. At the opening of this session of Congress, the Secretary of the Treasury, in submitting his estimates and his reports, referred to the condition of the finances of the country generally, and particularly to the recent revulsion. From a full Treasury with a surplus of twenty or thirty millions of dollars on the 4th of March last, we have now a deficiency of $20,000,000. I do not propose to go into an argument to show the causes which produced this very extraordinary result. There are a great many different theories on the subject. I simply wish to confine myself to facts, and leave every gentleman to make up his own mind, or to adopt his own theory, and carry it into practice if he can.

I had intended, if this bill had come up at an earlier day, to have occupied the full extent of my hour in debating fully and frankly all its bearings as a revenue measure—a subject which some gentlemen seem to think there is a disposition to avoid upon this side of the House. It is said that we have an empty Treasury; that we have borrowed $20,000,000, and are about to borrow $15,000,000 more, and yet that the Committee of Ways and Means is entirely silent as to the mode of replenishing the Treasury. I would be the last man to be guilty of an omission of this kind if it were in the power of the Committee of Ways and Means at this particular period to remedy this evil. But I know, every gentleman in this House knows, and the country knows, that an adjustment of the tariff at this particular juncture would not add a dollar to the revenue; and we know the additional fact that if a protective tariff were imposed at this particular period upon the people, so far from benefiting either the revenue or any interest of the country, it would entail evils upon us that gentlemen upon the other side of the House would be the first to disavow and to hold us responsible for. If the tariff at this session were put at sixty per cent., it would not yield one dollar of revenue. In consequence of the cessation of imports, no tariff could affect either the revenue or the manufacturing interests. The attempt and failure would only unsettle and confuse instead of giving stability or inspiring well-founded hopes for the future.

But it is sent forth to the country that we are unwilling to afford relief, even on our own principle. We have often proclaimed to the whole country that we are not in favor of a tariff for protection alone,

but that we are in favor of a tariff for revenue; and that under such a tariff, with revenue for its object, we will at all times do everything that we can consistently with this principle to incidentally benefit our domestic interests. That is our position, and if any gentleman will show me, now, how any adjustment of the tariff can be made upon that principle that will yield revenue and benefit the country, I am ready this moment to act on it. I have seen no such practical suggestion anywhere. There must be a revival of trade; we must have importations before any tariff of any kind whatever can produce any effect; and it is for this reason, and this alone, that I have proposed that we shall wait until there is a sufficient revival of trade, that we may see how to adjust the tariff with a view to secure revenue, give stability to the system, and encourage our own domestic industry, before we attempt to tinker with it. I have no hesitation in saying now that I shall not favor any tariff hereafter that is alone for protection in any of its features, without revenue for its object; but if I find, after a revival of trade, that the present tariff will not fulfil our expectations, then, and not till then, I shall be ready to go into a movement that will give us, on that principle and on that basis, sufficient revenue to meet, not, as some of my friends have intimated, extravagant expenditures, but the legitimate expenses of a Government economically administered.

I suppose it is hardly necessary for me to say that I am in favor of the postal system being generally self-supporting. I am willing to go, by judicious legislation, for a self-supporting system, both inland and foreign, and this can be effected without increas-

ing the rates of postage, by reforming the abuse of the franking privilege. The reason why I do not propose it now, is precisely the same reason as that for which I am not willing to act upon the tariff. I am not willing to run pell-mell into a system of legislation at the heel of the session, changing laws in appropriation bills. But I am willing, in the regular mode of legislation, to reform and revise the postal system, foreign and inland, and to establish them upon a self-supporting basis. Having thus given my views, I will not now enlarge upon them. I have said this much because it was perhaps due to the position which I occupy, and because hints have been thrown out from various quarters, coming, too, from my own State, that I had the power but lacked the inclination to come to the relief of the country, and was disposed to allow Congress to adjourn without even expressing my sentiments in regard to the amount of loan asked for.

The revulsion of the current fiscal year, I have already remarked, was very sudden and unexpected. No man could foresee it in all its bearings. Under our laws the Secretary of the Treasury is required to report to Congress, each session, the acts of the past, and to estimate for the expenditures of the coming fiscal year. He is required to render an annual report to Congress of the expenditures and disbursements of the Government, and to submit to Congress, at each session, printed estimates in detail of all expenditures that will be required to carry on the Government for the next fiscal year. Our Government from its very foundation has looked for revenue to a system of indirect taxation, by the adjustment of a scale of

duties on imports, known as the tariff. Equity requires that we should, in adjusting it, throw the burdens on property, and exempt, as much as possible, the evil of capitation taxation. Direct taxation would impose nearly the whole burden upon the personal, real, and mixed estate of the country, relieving production and persons comparatively free, upon the generally recognized principle in free government, that property shall bear the burdens of government as a consideration for the guarantees of inviolability and protection. We should, then, if we adopt the indirect taxation system, adjust it so as to throw its burden on property. The tariff should discriminate with revenue for its object; it should bear lightly on articles of necessity—of general consumption—and heavily on luxuries and articles consumed by capitalists, or requiring capital for their production. The revenue of the country, under any tariff, necessarily depends mainly upon the crops and production generally (I mean, of course, a safe, steady revenue) and our capacity for exporting these staples. Steady exportation will increase importation, and safely, too, in that ratio, and consequently enlarge the revenue by the receipt of imposts. Disaster, however, is sure to follow the loss of their equilibrium, as bitter experience is now teaching us. Of late years our imports have vastly exceeded the safe standard, both in quantity and quality, and, thus engendering over-trading and a bloated credit system, have brought us to a dead halt. This apparent overflow of means has led the Government into a scale of expenditures which never would have been brought about if it had not been for the great apparent prosperity of the country.

In this condition of things, the Secretary of the Treasury has been compelled to submit his estimates to Congress, based upon the condition of trade for the last twelve months—he must calculate for the future. Amid the existing fluctuations of trade, the derangement of currency, and a hundred other perplexities arising out of the panic we have just passed through, it was impossible for human foresight to prepare for all contingencies. He asked at the opening of the session for $20,000,000. He asked for that amount in Treasury notes, and not as a permanent loan, because he hoped that trade would revive and sufficient revenue flow into the Treasury to supersede the necessity of relying upon anything but the current receipts to provide for the current expenditures of the Government—a temporary credit relieving a temporary revulsion. He hoped that, in another quarter, trade would revive to such an extent as to enable him to say to the country that he wanted no more money outside of the receipts. Money was plenty in the country, and, being only panic-stricken, it was supposed the paralysis would be temporary. That hope has been disappointed; not in the abundance of money, the crops, nor exports, but in the revival of trade. The statements I will lay before the House will show that not only has trade not revived, but that it has fallen off; and that while the revenue has been diminishing for the last three quarters, the expenditures have been increased by the Utah war and the demand for payment of debts incurred when the Treasury was full. It has thus become the duty of the Secretary of the Treasury to bring these facts to our attention, and to ask for this additional loan. In his

estimates presented at the opening of the session, he did not include or anticipate the appropriations of $10,000,000 of deficiencies, which became necessary to be supplied to the Utah expedition.

In submitting his letter asking for this loan, with the estimates, &c., all of which I will have read, you will perceive that he states he has called upon the several Departments of the Government to ascertain the probable expenditures for the portion of the next fiscal year, commencing with July and ending with December, and the result has been that the amount required will be $37,000,000.

This loan bill has been kept back by me in order to see what provision would be necessary, in view of the appropriation bills and other bills requiring money which might pass Congress. The Secretary of the Treasury estimates the receipts from customs and other services for the two quarters of the next fiscal year at $25,000,000. This added to a loan of $15,000,000 would give $40,000,000, to meet $37,000,000 of expenditures; but that $37,000,000 is based upon the estimates of the Department, exclusive of any appropriation made by Congress in the way of private bills or increased appropriations beyond the estimates of the Department. It is for the purpose of ascertaining what the difference may be that the loan bill has been held back by me; but inasmuch as the House is so far in advance of the Senate, I think it proper to submit the bill in the form in which it originated in the Committee of Ways and Means. It authorizes $15,000,000 to be borrowed on the credit of the Government for fifteen years. If it passes this House, it will then go to the Senate, and between this time and the action of

the Senate, the appropriation bills being passed, the accounting officers of the Treasury will be enabled to ascertain very nearly the amount which will be required; whatever above fifteen million dollars it reaches, will be sent to us as an amendment, and when it comes here, it will be understood that the increase is demanded to meet the requisition of our recent legislation.

This public debt, amounting to upwards of twenty-five million dollars, all falls due between the present time and the year 1868. The present loan is purposed to be made for fifteen years, which will be five years beyond the period when our present public debt falls due.

I have also prepared another table showing the estimated receipts and expenditures from the 1st of July, 1858, to the 31st of December, 1858, and also one for the four quarters of the fiscal year ending the 30th of June, 1858. It is understood that the loan asked for now, together with the estimated receipts, is to cover the expenses of the first two quarters of the next fiscal year, commencing July 1. In consequence of the unsettled state of trade, we have no reliable basis upon which to make the estimate; but we can approximate to the sum. By the 1st of January next we will have light enough to know just how we stand; and then will be the time to revise our tariff, and everything connected with it, according to the exigencies of the times and the indications of the future.

The appropriations made at the present session of Congress will amount to probably $68,000,000. Of this, however, but $58,000,000 will be required for the

fiscal year 1859, the residue being incident to the fiscal year 1858.

This nine millions and upwards for deficiency of 1858 is no part of the ordinary expenses of the Government. We can come back in time to the ordinary standard without any great difficulty, by retrenchment and reform. That retrenchment and reform only begun at this session of Congress cannot be effective. It must be determined on at the next session of Congress by legislation. There is no man in the country so wanting in intelligence as not to know that under the system of enormous land grants for railroad purposes, and under the system of squandering the public money in building custom-house monuments all over the country, inaugurated under a plethoric Treasury, we can never reduce the expenditures of the Government. We have now gone on from something like fifty millions a year to an expenditure of seventy or eighty million dollars, over two-thirds of which is legitimately expended for the purpose simply of conducting the Government. I believe it is in the power of the Democratic party—and it will be responsible for it—to bring us back to a proper condition of economical expenditure; but to enable us to do this, we must first pay off the legacy entailed upon us of old debts incurred by this system of unwise legislation, and begin our reform by discontinuing the practice. Our foreign relations now require an expansion in only one direction—the increase of our Navy. That is a legitimate exercise of the powers of Government, and necessary to maintain our proper position in the family of nations. When the Government has ceased to build custom-houses and to multiply them all over the land,

and ceased also to convert every depot in the country into a port of delivery; when the Capitol extension is completed, which may be in a year, and the other Public Buildings, Patent Office, Post Office extension, Treasury, and aqueduct; when all these incidental expenses are got rid of, it will be within the power of the Democratic party, under the counsels of our present President, to bring down the expenses of the Government to $55,000,000 a year. I hope to see this realized in 1860. I am in favor of this reduction. It is utterly impossible for any party to bring about this reform at once. The great point to be aimed at is not to exhibit a parsimonious economy in repudiating our past debts, no matter how recklessly contracted, nor in changing laws in appropriation bills; it must be done deliberately and systematically. It is not to be done by beginning at the heel of the session to exhibit a spirit of wonderful reform in scaling the public debt, but we must begin at the beginning. Let the Democratic party, which certainly holds power in this House one session more (and if it will not go for reform, it does not deserve to be in power any longer), and holds the Executive and Senate for several years to come, commence at the beginning of the session, and we will cure this evil. It will not do to exhibit a wonderful display of economy just one or two days before the adjournment of the session in filibustering on appropriation bills. I have to say, with all due deference to my friends on both sides of the House, that the country understands exactly what that is worth. Much capital is not made by it by any parties.

Mr. Lovejoy. Will the gentleman from Pennsylvania let me say a word here?

MR. J. GLANCY JONES. I cannot yield now, as my time is short.

MR. LOVEJOY. Then I hope the gentleman does not charge us with filibustering.

MR. J. GLANCY JONES. I have seen a good deal of it on both sides of the House, and not a little this morning in the war speech of my friend from Massachusetts [Mr. Burlingame].

MR. LOVEJOY. You have not seen it on this side of the House on any single appropriation bill.

MR. J. GLANCY JONES. I have heard, within the last half-hour, a most tremendous demonstration of what I call filibustering—a war speech on the loan bill, while I know that the gentleman who made it will not go for paying expenses. There is not a constituency of five men on that side of the House who would support a war measure before the country, or vote money to pay for it, if I were to bring in a bill to-morrow asking for the money and men to use it. I do not blame them for it. Experience has taught us that the best way to get along is to insist upon our rights at all hazards, and to ask nothing but what is right. A war speech in time of peace is very safe, and naturally, like froth, works itself off. I will hold myself ready to vote for war, and to vote for supplies to maintain it, whenever I think the honor of the country is assailed or touched.

MR. KUNKLE, of Pennsylvania. So will we.

MR. J. GLANCY JONES. But you would not now be found voting to give the President of the United States authority to redress instantly the first insult offered to our flag on every sea. I am ready to give the President money and men to do both, but I know such

a position could not be carried in this House, and hence I refrain from making war speeches, only to end in words, and finding fault with such of my friends on the other side of the House as indulge in this harmless amusement for Buncombe. I could not let the opportunity pass without this remark, that it is rather inconsistent in a gentleman to rise here in this body—and the country will fully appreciate it—and assail the Executive of the United States, no matter to what party he may belong, for not prosecuting a war, when that gentleman, by virtue of his being a member of Congress, is expected to know that, under the jealous reserve of the Constitution of the United States, the Executive has not the power to lift one finger in hostility without the action of Congress; and still worse is it when that gentleman would not vote to give him that power to-day. If the gentleman means what he says, why does he not vote to give the Executive power? The idea of finding fault with the Executive for not waging war, resenting insults, &c., when he has neither power nor money given him by Congress to do either, is a species of demonstration which I should be sorry to see often exhibited here by friend or foe, and must certainly (I say it with all due personal regard for my friend) bring Congress into ultimate contempt at home and abroad, wherever it is understood.

Thus it appears that if the loan of $15,000,000 is granted, and you do not increase the expenses by legislation at this session, either in appropriation bills or by the passage of private bills requiring money, there will be a little over two million dollars in the Treasury on the 1st of January next. Experience has

taught us, however, especially under our present Mint system, that we ought at all times to have a balance of $5,000,000 on hand in the Treasury in order to work the machinery of the Treasury Department. We shall, therefore, be short $3,000,000 of a good working balance; but it will be safe for months to rest it. I propose that the House pass this bill in its present shape, providing for a not exceeding six per cent. loan of $15,000,000 for fifteen years, and send it to the Senate. By the time the Senate takes action upon it, it will be able to figure up the exact amount of the appropriations that have been made, and if it shall be needed, the Senate can increase it, and I shall ask the House to concur in such increase as they may propose on this basis. I have submitted these remarks hastily, and may modify them somewhat hereafter, in order to enforce and explain more fully the positions taken.

Minnesota was admitted into the Union as a State at this session of Congress by an act approved May 11, 1858.

CHAPTER XXIII.

Speech of Mr. Jones in Washington at the meeting ratifying the nomination of Colonel Berret for mayor—Death of Thomas H. Benton—A call of the House—Reply of Mr. Jones to a public testimonial offered him by the citizens of Philadelphia—The expedition against Paraguay.

IN the spring of 1858 a large mass-meeting of Democrats was held in the city of Washington to ratify the nomination of Colonel Berret as their candidate for mayor of that city. Mr. Jones was one of the speakers invited to address this meeting, and spoke as follows:

He remarked that he had occasion, as he was coming here to-night, to ask himself the question, why he was about to appear before this audience and address them; but when he arrived, and saw the vast multitudes assembled, he asked himself again what was the cause of this great gathering. Is it for the mere purpose of elevating a man to the mayoralty of Washington City? Certainly not. While in Mr. Berret, the candidate of the Democratic party, they had a man who was in every respect qualified to do honor to the city, and who would be true to the principle which he had to-night pledged himself to support, and which was dear to the heart of every American freeman—the maintenance of law and order—yet they had assembled with views looking to something beyond that. It was because they lived in a country of political

equality, and because the nomination of Colonel Berret represented the doctrine of political equality and American security, the dearest of all the rights which we possess. He did not propose to make a political speech, nor would he go into the local issues before the citizens of Washington at the coming election. The audience knew them, and knew the candidate better than he (the speaker) did; but he had known him for years, and it was because he regarded their nominee as a representative of the highest principles known to American freemen that he appeared before a Washington audience for the first time on the occasion of a local election. He came here to-night to raise his voice in behalf of law and order; and it was because the dearest thing to him on earth was the doctrine of our political rights, guaranteed to us by our forefathers, and handed down to us unbroken and sacred—because he should regard the success of Colonel Berret as an evidence to the country that the people of Washington were not yet so recreant, and so forgetful of the blood of their forefathers, shed in the glorious cause of freedom, as to allow their opponents the privilege of saying that they had elected a man who had no party and no principles. [Applause.] This, in the capital of the nation, would be a most humiliating degradation. He hoped that no portion of the American people would vote for a man who had no principles, or was unwilling to acknowledge any. He did not mean to speak of the opposition candidate, for he had not the pleasure of a personal acquaintance with him; but he knew perfectly well that the people of this city were conservative and law-loving; and he knew that they had felt the sad effects of that party

which had recently sprung into existence, bidding defiance to the laws of both God and man, denying men the right of the free exercise of their own conscience, and putting the laws of the land at defiance, under the names of rowdyism, Lynch-law, or, to use the more familiar word of the day, "plug-uglyism." [Great applause.] He looked upon this matter in a serious light. It was this love for law and order, this principle of conservatism, that triumphed in the presidential election of 1856 over the assailants of the constitution of our country. You are here to-night to promote the same purpose—to uphold the law which shall protect your wives and children and yourselves in peace and security.

Mr. Jones then spoke of the bill recently introduced into Congress to reorganize the police force of the city. He understood that it provided for the better maintenance of law and order, and accordingly gave it his support. He had observed that the great body of the republican and know-nothing members in the House of Representatives were strongly opposed to it. He did not impeach their motives, but he had felt that something should be done to render life and property more secure in the city of Washington. It was this conviction that had induced him to come forward to-night to participate in a canvass where he was not a voter. He wished to contribute to the cause of "law and order" wherever he might go to the extent of his ability. [Here some one in the crowd cried out, what about Kansas?] Mr. Jones said he would speak of Kansas, but he feared the subject, like the old song of Dan Tucker, had been so completely worn out, that no one would care to hear any more of it. Kansas has

been finished up, and has ceased to bleed. He dwelt at some length upon the happy termination of the Kansas controversy, and believed that the principles imbodied in the Kansas-Nebraska bill had become the fixed policy of the country. During the progress of this controversy, the presidential election of 1856 occurred. It involved greater consequences than any previous contest of the same kind. It was nationalism against sectionalism, and he felt that if the latter prevailed, the greatest disasters might be apprehended. It had terminated as he could have wished. Sectionalism had been overthrown. Now we find these same republicans, who composed this sectional party, claiming to be national in their views, and, as evidence thereof, adducing their vote in Congress to admit Kansas as a slave State if such was the will of the people. He hoped there would be no more sectional contests. The opposition changed positions according to the exigencies of the times, and he warned them that the no-party movement in this city was but a know-nothing or republican movement in disguise. He exhorted them to labor earnestly and zealously for the election of their candidate for mayor, and he believed, if they should do so, they would achieve a victory that would gladden the hearts of the people of the whole country. [Great applause and enthusiastic cheering.]

Thomas H. Benton died in Washington, April 9, 1858, and his death was announced in Congress.

On May 14, 1858, a motion to adjourn was made in the House, at about five o'clock in the afternoon. On this motion Mr. Jones voted in the

negative. He inquired the result at the Clerk's desk, and was informed that the motion was carried by a majority of six. He then, with many others, left the House. Members afterwards changed their votes, and the result was announced as yeas 47, nays 59—less than a quorum; so a call of the House was made. During its progress the following debate took place:

Mr. Schuyler Colfax, of Indiana. Is it in order to inquire whether the Sergeant-at-Arms has yet found the whereabouts of the chairman of the Committee of Ways and Means?

Mr. Edwin B. Morgan, of New York. I rise to a question of privilege. I understand that up at the President's house there are a large number of members of this House now dining. I understand, further, that an officer of this House has been there and been refused admittance; and that he has been told by members of that house, and by those having the house in charge, that no members of this House are there. I am told that there are members of this House there, and among others the distinguished head of the Committee of Ways and Means, enjoying themselves, while we are sitting here without a quorum. I think that it is a disgrace to the House, and I would like to know what is to be done in a case of this kind.

Mr. Benjamin Stanton, of Ohio. I wish to inquire of the Sergeant-at-Arms, through the Chair, whether he has been at the White House. It is a fact that the country ought to know whether members are there and refuse to come in under the order of the House.

MR. JAMES HUGHES, of Indiana. I object to this. Let the Sergeant-at-Arms make his return to the House.

THE SPEAKER. That is the formal way.

MR. MORGAN. Withdraw the objection.

MR. HUGHES. No, sir; I object to semi-official assaults upon men who are not permitted to defend themselves upon this floor.

MR. JEWETT. I do not profess to be much acquainted with the usages of the House, but I learn, for the first time, that it is not regarded as a good excuse that a member was dining with the President.

MR. STANTON. I would like to know whether a messenger is left waiting the convenience of members at the White House.

MR. HUGHES. I object.

MR. SHERRARD CLEMENS, of Virginia. There are at least two cases, where dinner-parties were in progress, where ladies have interfered and said that members of the House were not in the dwelling at the time. Is it fair to the members who are kept here, or brought here, that those who remain absent shall escape the penalties incurred by those who have been brought in under the order of the House?

MR. BENJAMIN STANTON. It seems to me that if the chairman of the Committee of Ways and Means and the chairman of the Committee on the Judiciary, gentlemen who wear the honors of the House, do not choose to bear its burdens, and if they choose to have to-morrow's session occupied in making a question of conduct on their absence, it is their responsibility, and not ours.

MR. ALFRED B. GREENWOOD, of Arkansas. The name of the chairman of the Committee of Ways and

Means has been used in this Hall to-night on more occasions than one, and I think he has been unnecessarily called in question as being one of the absentees on this occasion. I met the gentleman from Pennsylvania in the area here while the vote was being taken on the motion to adjourn, and when it was understood that that motion had been carried. He was here, and seemed to regret that the business of the House could not have been proceeded with. He was making his way out of the Hall, in company with other gentlemen who had supposed that the motion prevailed. I do not see why his name should be selected in this connection more than that of any other gentleman who is absent at this time.

The Sergeant-at-Arms appeared at the bar, and announced that, in obedience to the order of the House, Mr. J. Glancy Jones and others were within the bar.

THE SPEAKER. Mr. J. Glancy Jones, you have been arrested and brought to the bar of the House for absenting yourself from its sittings without its permission. What excuse have you to make?

MR. J. GLANCY JONES. During this entire session, I have been present at all the daily sessions of the House, and have ever been in favor of proceeding with the public business as long as it was proper for us to remain here. I remained here until five o'clock this afternoon in the discharge of my duty. At five o'clock the vote was taken on the adjournment, and I was informed by the Clerk of the House that it was carried by six majority; and I left the House under the impression that the House had adjourned. As soon as I was informed that my presence was desired here, I presented myself at the earliest convenient oppor-

tunity. And I would say further that I would be very happy to remain here so long as a quorum will remain here to transact business.

MR. HOWARD. In consideration of the former good conduct of the illustrious chairman of my Committee, I move he be excused on the payment of costs.

MR. J. GLANCY JONES. I will cheerfully pay the costs if my colleague will strike out the word "former."

MR. HUGHES. I must have some information in regard to the facts of the case before I can vote for the motion of the gentleman from Michigan. I have objected to the gentleman who is now at the bar of the House being arraigned in his absence, and to allusions being made to his *locus in quo*. Now that he is here, before I can vote to excuse him, I feel impelled by a high sense of duty to call upon him to say whether he has been at that dinner which has been so mysteriously alluded to here several times to-night; and I want him to tell the House exactly what he got to eat. Then, again, it becomes important to inquire where the gentleman has been to dinner.

THE SPEAKER. The Chair thinks that would hardly be in order.

MR. HUGHES. Now, the question is, shall the gentleman from Pennsylvania be excused? Well, Sir, I am in favor of excusing the gentleman, and I am in favor of excusing him without the payment of fees. I think he ought to be excused without payment of fees, because I believe that, in common with many other gentlemen, he left the House under the impression that it had adjourned. I think it a great hardship that he and other gentlemen, myself included, have been brought back here under a sort of snap judgment.

THE SPEAKER. The question recurs on the motion to discharge Mr. J. Glancy Jones on payment of fees.

MR. J. GLANCY JONES. I merely wish to answer the interrogatory propounded to me by the gentleman from Ohio.

MR. SICKLES. I object.

THE SPEAKER. The gentleman has a right to answer it.

MR. J. GLANCY JONES. I had an invitation two or three days since to dine with the President of the United States to-day; such an invitation as I suppose has been extended to every other member.

SEVERAL MEMBERS, on the Republican side of the House. On the other side, not this.

MR. J. GLANCY JONES. Well, I hope it has, or will be. I accepted that invitation with the reservation that I always make.

MR. MORRIS, of Illinois. I rise to a question of order. The gentleman is not answering the question propounded to him. The question was, at what time he was notified by the Sergeant-at-Arms that the House was in session and without a quorum.

MR. J. GLANCY JONES. I hope the gentleman from Illinois will excuse me if I am a little prolix.

SEVERAL MEMBERS. Come to the point.

MR. J. GLANCY JONES. I was saying that I accepted the invitation with the reservation that I would never leave this House so long as it was in session. And I would not have left the House till twelve o'clock to-night, or any other hour, unless I had been under the impression that the House had adjourned. I always feel it my duty to remain here until the House does adjourn; but I was informed that the House had ad-

journed, and then I left here and went to my lodgings. I remained at my lodgings at least an hour, and could have been summoned during that time. I left my lodgings at the end of an hour, supposing that after the House had adjourned I was at liberty to do as I pleased, and since then I have received no communication from any officer of the House except through a third person, and that communication was that I was expected to report myself here by half past nine or ten o'clock; and in obedience to that summons I have reported myself here.

MR. WALBRIDGE. I wish to ask the gentleman at what time he received notice that the House was awaiting his presence and that of other gentlemen in order to make a quorum.

MR. JONES, of Tennessee. This House has not been in session for any business purposes for the last five hours.

MR. CURTIS. The gentleman from Pennsylvania seems to put the blame of his delinquencies upon two officers of this House—first, upon the Clerk, who informed him that the House had adjourned, and then upon the Sergeant-at-Arms, who failed to notify him that his attendance was needed here. Under these circumstances, and as, according to his statement, these officers appear to have been culpable, I move that he be excused.

MR. J. GLANCY JONES. Allow me to correct an erroneous impression. I want to do injustice to no one. The Sergeant-at-Arms, I have no doubt, discharged his duty faithfully. The information reached me through a third person, at a late hour. Nor is the Clerk of the House responsible. I went to the desk

myself and inquired how the vote on the adjournment stood, and was informed that there was a majority of six in favor of adjourning against my own vote. I could not anticipate that gentlemen would subsequently change their votes. That was my error. I had no foreknowledge that gentlemen would change their votes and send after me. It was not the fault of the Clerk. Nor was it the fault of the Sergeant-at-Arms that I was not here sooner. In this "city of magnificent distances" it took a long period, perhaps, to reach me.

MR. WALBRIDGE. I hope the gentleman will answer my question. My vote will depend upon his answer.

MR. SANDIDGE. I hope the gentlemen with whom I have acted throughout this whole proceeding will allow the same action to be taken in this case as in others. [Cries of "Agreed," and "That's fair."]

MR. J. Glancy Jones was then ordered to be discharged from custody on payment of the fees.

It was about eleven o'clock P.M. when Mr. Jones reached the House, and the House adjourned at 11.20 P.M.

In June, 1858, upwards of one hundred and thirty influential citizens of Philadelphia offered Mr. Jones a public dinner for the purpose of testifying their appreciation of his public services. The following is the correspondence:

PHILADELPHIA, June 22, 1858.

HON. J. GLANCY JONES:

DEAR SIR: It would afford a number of the Democrats of this city much pleasure to meet you in friendly

greeting, and extend to you a welcoming hand upon your return from your Congressional labors. Placed as you were as Chairman of the Committee of Ways and Means, in the very fore-front of the battle waged in support of the Administration of a Pennsylvania President, and thus exposed to the shafts of a malevolent and envious opposition, we feel we would be derelict to ourselves did we not seek an occasion to testify to you our high estimation of the able and patriotic manner in which you discharged the trust confided to your hands. We therefore hope that before leaving the city you will be pleased to dine with us, at such time as may suit your convenience.

Very respectfully yours,

N. Hicks Graham,
John Robbins, Jr.,
William L. Hirst,
Robert Tyler,
and others.

Reading, 1st July, 1858.

Gentlemen: I have duly received yours of the 22d ultimo, in which you do me the honor to invite me to meet you in friendly greeting, and to extend a welcome hand to me after a return from my Congressional labors, as a token of your appreciation of my public services.

I regret that, deeply sensible as I am of this high mark of your regard and esteem, I am compelled to forego the pleasure it would afford me to accept, at this time, the invitation so cordially extended.

While many important questions affecting the domestic and foreign relations of the Government

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remain yet to be disposed of, the progress made in one short session in developing the policy of the Administration of President Buchanan is a just cause of gratulation to every true friend of the country.

In this brief space of time filibusterism has been signally suppressed, the supremacy of the laws boldly maintained, and other nations taught that our own neutrality laws shall be faithfully observed in all our relations in the family of nations; while we will also exact of them a full and free concession of all the reciprocal obligations growing out of this commonly recognized code. The recusancy of the Mormons of Utah in refusing to submit to the constitutional powers of the General Government; the agitation of sectionalism in Kansas; our relations with Central America, including the rights of proximity; the non-recognized principle of visitation or search of vessels bearing the American flag, by the ships of any other nation; have each, in turn, passed in review before the representatives of the people, during this brief space of time.

Many of these questions were not the subjects of legislation, but they each assumed, at different times, such a shape as to enable Congress, when no legislation was required, in conjunction with the Executive, to settle the public sentiment of the country as to the future fixed policy of the Government. The derangement of the finances of the country, occasioned by a sudden and most extraordinary revulsion in the midst of the highest apparent prosperity, challenged the attention of Congress immediately after the opening of the last session; a plethoric Treasury, with a surplus of thirty millions, in the short period of a few months, had undergone a transition to the other extreme, of a

deficiency of $20,000,000,—and all this without the agency of a single act of Government, executive or legislative; trade suddenly stopped, credit failed, commerce suspended, and in the midst of universal plenty and universal health, general consternation and fearful apprehensions for the future prevailed everywhere.

It was not in the power of Government to furnish relief; imports having almost entirely ceased, any tariff would become prohibitory, and no new tariff adjusted by any scale be operative on such a stagnant condition of the commerce of the country.

This condition of things continued up to adjournment of Congress, and continues still; and while it continues, the legislative power of the Government is just as impotent as the helmsman with the rudder of a becalmed ship at sea. Revenue the Government must have; but being deprived of the means of raising it in the ordinary way, she was compelled to raise money on her credit, and wait for a revival of trade, hoping by the next session of Congress to be able to probe the wound and apply the remedy. This delay was not occasioned by any indifference to the magnitude of the subject, or the sufferings of our people, but from the absolute impossibility of producing, by legislation, any effect looking to the healthy and safe restoration of trade, and the industrial interests of the country generally. Without a revival of trade, furnishing a basis of action, a change in the tariff could effect nothing at all. As I have already remarked, the present tariff, under the present condition of things, is almost prohibitory.

What then is to be the remedy? I answer, a modification of the tariff for revenue at the earliest practi-

cable moment; modified so as to secure us a revenue of from $50,000,000 to $60,000,000; an additional sum sufficient to liquidate the present debt of $65,000,000.

The idea of a protective tariff for the sake of protection, is so completely obsolete that, except for political purposes, it is now never alluded to in Congress. It is practically abandoned by the South, the West, and all the New England States, and if it were possible to enact such a tariff its certain instability would prevent capitalists from investing under it. No tariff can now be adjusted, with any hope of permanency, except upon the principles of yielding revenue, and of discriminating so as to impose the burden of taxation upon capital. With these two points secured, as common principles upon which all the States of the confederacy can stand, as equal, the next point is to secure to our own industry the greatest possible benefit—revenue and equality of taxation being the object, as a basis of exact justice among our own people.

The greatest amount of protection as the incident should be secured to our own manufactures, by discriminating in their favor to the fullest extent compatible with the foregoing principles. A tariff adjusted upon these principles would be just alike to all, and would secure stability.

No one who loves his country can do otherwise than wish to prefer her manufacturing interests over that of all others, when he can do it without injustice to any of her own citizens; and no man should be recognized as a true-hearted Pennsylvanian who would hesitate to use all his influence to secure for her mineral

wealth and manufacturing resources all the benefits of legislation that may be consistent with the equal rights of the other States.

I am in favor of such an adjustment of the tariff at the earliest practicable moment. Iron is the chief manufacturing revenue of Pennsylvania, and iron, above all other articles of our own manufactures, is most consumed by capitalists, and hence upon the foregoing principles should be taxed under our tariff to the utmost extent consistent with the revenue standard. I deem any movement in this country towards a protective tariff for protection sake, as nothing but an ingenious political device, to lead both capital and labor to their destruction. Constituted as our country is, no such system, if enacted, could probably stand, and hence, if temporarily successful, could only inveigle capitalists into investments which must prove ruinous in the end. Looking no farther back than 1828 we find such instability fully illustrated. The tariff of 1828 was protective without regard to revenue, and it lasted but four years, just long enough to induce the investment of capital, but not long enough to secure a return.

The Tariff of 1832 was for revenue, and it lasted ten years. The Tariff of 1842 was for protection, and it lasted four years. The Tariff of 1846 was for revenue, and it lasted eleven years. If a Protective Tariff could only be sustained for an average period of four years, when the manufacturing States had the preponderance of power in the Government, what shadow of hope can there be for the system when the area of the country is nearly doubled, new States almost annually admitted into the Union, and those States all consuming and

not manufacturing States—while the manufacturing States either remain stationary, or are numerically diminishing in the confederacy.

Let Pennsylvania look for a revenue tariff; the Democracy is bound to it, they are in power and will be for a number of years. If Pennsylvania will be true to her own distinguished son and the party now in power, her great interests will be cared for to the full extent of constitutional power. If not, she can have but little hope in any other party, as all experience has taught, that though liberal in promises, they have always proved impotent in the performance. Such a thing as the Executive and both branches of Congress being in the hands of the opposition at the same time very rarely happens, and if it does its duration is so brief that it can effect nothing.

Very respectfully, your obedient servant,

J. GLANCY JONES.

To MESSRS. N. HICKS GRAHAM, JOHN ROBBINS, JR., WM. L. HIRST, ROBERT TYLER, EDWARD WARTMAN, ROBERT F. CHRISTY, and others.

At this session of Congress a joint resolution was passed, authorizing the President to adopt such measures and use such force as should be necessary to obtain satisfaction from the Republic of Paraguay. This little South American republic had taken advantage of the fancied security afforded by its location in the far interior, a thousand miles from the mouth of the Parana River, to commit acts of open hostility to the United States. Lopez, its President, believing

that a naval force could not be sent against his remote little country, though it was washed on three sides by the waters of the Paraguay and Parana rivers, thought he could insult the United States with impunity. He therefore refused to ratify a treaty of friendship which had been made with his government, seized the property of American citizens, and fired upon the United States steamer "Water Witch" while she was peaceably making surveys in the Parana River, killing an American sailor at the helm. There was no attempt at explanation or justification of this outrage, except that the little country of Paraguay wanted to be left to itself and was determined to keep all foreigners outside its borders. About the size of the State of Georgia, with a mixed population not as large as the city of Philadelphia, composed of Spaniards, Indians, and negroes, it was not a formidable adversary, but the honor of the United States demanded that ample reparation be made or the country soundly punished. Accordingly a fleet of nineteen vessels, under the command of Commodore Shubrick, carrying two hundred guns and twenty-five hundred sailors and marines, was sent out in the fall of 1858. The fleet reached the Rio de la Plata about the close of the year, and anchored at Montevideo, while the Commissioners sent out by the President, with Commodore Shubrick, started up the Parana River for Asuncion, the capital of Paraguay. They arrived there on the

28th of January, 1859, and found no difficulty before the 10th of February in securing an ample apology, and $10,000 for the family of the seaman who had been killed on the "Water Witch." A treaty providing for indemnity and rights of commerce and navigation was also negotiated, and the United States has had no further trouble with Paraguay, or any of the neighboring countries, since that time.

CHAPTER XXIV.

The military expedition against the Territory of Utah—Remarks of Mr. Jones upon the appropriation therefor—Remarks of Mr. Jones upon the Indian appropriation bill—Walker's expedition against Nicaragua—Remarks of Mr. Jones against filibustering—The Pacific Railroad.

ANOTHER matter which engrossed the attention of Congress at this session was the state of affairs in Utah. This Mormon settlement had been organized into a Territory in 1850. Brigham Young, who was the head of the religious organization calling themselves the Latter Day Saints, was appointed Governor by Mr. Fillmore, and had since continued to fill that position. The people of Utah, who gave him implicit obedience as their religious superior placed over them by divine authority, finding no civil power in the Territory that was not in his hands, recognized him as their absolute ruler in all things. His word was law, his rule absolute. Recognizing the danger which threatened his power from the settlement of Gentiles (as those who did not belong to the Mormon Church were called), Young determined to throw off all allegiance to the Government of the United States and proclaim himself as the supreme ruler of the Territory. He thus sought to establish a theocracy that would enable him to control all settle-

ments in the Territory and perpetuate his power as the head of the Mormon Church. With this end in view, he began, shortly after his appointment as Governor, to formulate his plans. He laid up stores; he accumulated arms, and organized the citizens of the Territory into military bodies. It was said he was able to place thirty thousand men and women in the field. He took advantage of his position as Indian agent to secure the alliance of several Indian tribes.

In 1857 he felt his position to be strong enough to justify him in assuming an attitude of open hostility to the United States. He issued a proclamation in which he refused to recognize any authority in the Territory but his own, and put the Territory under martial law. All the other Federal officers appointed by the President were obliged to leave the Territory. Young declared that if it should become necessary he would take refuge in the mountains, and defy the authority of the Government from there. President Buchanan thereupon removed him from office, and appointed Mr. Cumming in his place. The President also appointed other Federal officers to take the place of those who had been driven from the territory. Governor Young declined to surrender his office, declaring that he derived his commission from God, and not from the President.

In the summer of 1857 a force of about three thousand men, under General Albert Sidney Johnston, was sent out with the newly appointed

civil officers to reëstablish the authority of the Government of the United States in Utah. This military force crossed the plains and encamped during the winter of 1857–1858 in the Green River Valley of Wyoming Territory, where they suffered great privations. By an act approved April 7, 1858, Congress authorized the recruiting of two regiments of volunteers to quell these disturbances in Utah.

In January, 1858, the citizens of Great Salt Lake City sent a defiant communication to Congress, in which they declared that no officer appointed by the administration should exercise any dominion over them while the army menaced their Territory, and that "by the help of Almighty God they would maintain their constitutional rights and liberties, their religion, their wives and children, and their hard-earned firesides." In May, 1858, a week or two after this communication reached Congress, Governor Cumming entered Salt Lake City, and, without resistance, took charge of the territorial government. The authority of the United States in Utah was thus restored.

When the bill making the appropriation for the Utah volunteers was before the House, Mr. J. Glancy Jones spoke as follows:

MR. CHAIRMAN, this is a bill making appropriation for a service which is familiar to the whole committee. On the 7th of April, 1858, Congress passed a law provid-

ing for raising three regiments of volunteers, one to protect the frontier of Texas, and the other two to prosecute the war in Utah. Some time since—the precise date I do not now remember—the Executive of this nation, in the discharge of his duty, deemed it proper and expedient to nominate and appoint a Governor for the Territory of Utah. Brigham Young, the incumbent of that office, who had occupied it for some six years, had outraged the sentiment of the nation in sustaining, by the exercise of arbitrary power, a combination of Church and State, until, in the opinion of the Executive, the time had arrived when he should appoint a civilian to that office, who would not combine, or attempt to combine, the fanaticism of a religious opinion with the discharge of the civil duties of the Territory. He soon received information that Brigham Young would not surrender his office, or recognize the power of the Executive of the nation to appoint his successor. This created what may be properly called a state of quasi rebellion in that Territory—a resistance to the laws and to the enforcement of the laws. The President of the United States having appointed his Governor, called out a sufficient force to compel the people and the authorities of Utah to recognize and receive him. Information was received by the Government, in an official communication, that the entire population of the Territory of Utah was a unit, and governed by religious fanaticism; that they were determined the President should not send a Governor into the Territory to preside over them, and were prepared to set the Government at defiance. Now, sir, the Army of the United States being small and scattered over a most extensive fron-

tier, every man being wanted at his post, the President found that he could not discharge his duty as Commander-in-Chief of the Army, and could not properly enforce the laws in Utah without subjecting our extensive frontier to inroads from Indians, and the settlers there to a loss of life and property. He applied to Congress, at the opening of the session, for an increase of the regular Army. In a message sent to Congress, he set forth the object of it: that the frontier of the country required every soldier to remain at his post; that he ought not to detach one; that if the soldiers were gone from any particular post, the frontier in that vicinity would be left exposed to the depredations of the Indians. Congress in its wisdom thought proper, instead of increasing the regular Army, which the President recommended, and which I think they should have done, to authorize, as they did, by the law passed on the 7th of April, 1858, the President of the United States to raise one regiment of mounted volunteers to protect the frontier of Texas, and two regiments of volunteers to be used in the Utah service, if in the judgment of the President they became necessary.

Now, Mr. Chairman, as this Congress, at the present session, passed this law, it is to be presumed they understand the whole subject, and are prepared to vote for supplies without the necessity of further explanation or delay. It is to be presumed that for the purpose of calling out these three regiments and putting them into service, if the President of the United States shall deem it necessary, Congress will not hesitate to provide the money to pay, clothe, and subsist them; and this bill is for that simple purpose. The only question that can possibly arise will be as to

whether two of the regiments will be needed. I believe it is admitted on all hands that in any event the regiment for Texas will be wanted. But the question is whether the other two regiments will be needed. I have simply to say that, for the purpose of ascertaining that fact, I have kept the bill back till the very last moment, in order that if any information be received justifying the President in not calling out these regiments, the appropriation might be dispensed with. I am sorry to say that no such information has reached here yet, nothing reliable going to show that they may not be wanted. They may not be wanted; but there is nothing which will justify Congress in adjourning without putting the money at the disposal of the Executive, in case they are wanted. I say that I have kept this bill back for the purpose of getting information; but no information having reached me, I am obliged now, within a week of adjournment, to bring up this bill, which is the last appropriation bill, which is simply to pay for the regiments which Congress has placed at the disposal of the President. It is very likely they may not be wanted; but it would not be safe for Congress to decline action on the subject. The very fact itself that Congress had declined, might be sufficient to prevent these difficulties from being brought to a close. I am authorized to say that if this money is appropriated, the President will not use it unless it becomes absolutely necessary to enforce the law.

I wish now to give notice to the committee that as this is the last appropriation bill, and as I have understood it is the wish of gentlemen to make speeches upon other matters this evening, I propose to pass

this bill, and, as soon as it is laid aside, to take up the loan bill, which is the last bill reported by the Committee of Ways and Means on which we require the action of the House, and then to take a recess for the evening, for the purpose of general debate.

An amendment to the supplemental Indian appropriation bill was offered by Mr. Miguel A. Otero, the delegate from New Mexico, increasing the appropriation from $75,000 to $150,000. On this amendment Mr. J. Glancy Jones spoke as follows:

MR. CHAIRMAN, the appropriation, as estimated for, was as the gentleman from New Mexico [Mr. Otero] has stated. The whole of this appropriation has arisen from a new policy adopted by the Government in its intercourse with the various Indian tribes. The old system was to treat with the Indians, and then act in accordance with the treaty stipulations entered into with them. The new system in the main is good and benevolent. The Indians are collected together prior to the making of treaties with them. They are taught to cultivate the soil and follow in the steps of civilized life. There they are treated with all kindness and humanity. The policy is, I think, for the benefit both of the Indians and the white settlers. They are permitted to remain there until Congress is ready to negotiate treaties with them. There can be, of course, no limits prescribed in appropriation bills, except in so far as the exigencies of the case may demand. I have no doubt that the policy is a good one, if carried out, and that it would be still better if all the Indians

in our States and Territories could, by this sort of humane treatment, be brought to settle upon fixed reservations and be placed under the control of the Government. This policy has only recently been inaugurated. In the case of New Mexico, the sum estimated for was a large one, and in view of the straitened resources of the Treasury it was the opinion of the Committee of Ways and Means that $75,000 would answer for the next fiscal year. I have no doubt that it is equal to the demand. There is no basis for the appropriation at all, other than this policy which has been established, and which has frequently been endorsed by Congress. I consulted with the acting Commissioner of Indian Affairs, and he admitted that they could get along, with prudent management, with the sum appropriated in the bill, during the next fiscal year.

The question was taken on the amendment, and it was disagreed to.

Mr. Glancy Jones took a prominent part in the debate on the neutrality laws which occurred during this session of Congress. Among the other participants in this debate were General John A. Quitman of Mississippi, Alexander H. Stephens of Georgia, John Cochrane of New York, Lawrence M. Keitt of South Carolina, Charles J. Faulkner of Virginia, Thomas L. Clingman of North Carolina, James B. Clay of Kentucky, Lucius Q. C. Lamar of Mississippi, Augustus R. Wright of Georgia, and Elihu B. Washburne of Illinois.

The debate grew out of the arrest of William Walker and one hundred and fifty men by Com-

modore Hiram Paulding of the United States Navy, upon the soil of Nicaragua. Walker was a military adventurer of dash and courage, but without the qualities of a commander. All his efforts had been failures. He led a disastrous expedition against Sonora, in which many of his deluded followers perished. His next attempt was against Nicaragua, in 1855, in which he was more successful. He sailed upon this expedition from San Francisco, in a vessel furnished by a New York corporation called the "Transit Company," and landed at Rivas, a small town between Lake Nicaragua and the west coast. He had formed an alliance with one of the contending factions in that turbulent country, known as the "Liberals," and with their aid and with reinforcements from the United States he obtained control of the government and became its President. He maintained his control there for nearly two years, and his government was recognized by the United States. Much was expected from his administration of this trust, but his rule was so despotic and unwise that he was soon detested by the entire population. He quarrelled with the Transit Company, which had furnished a large part of the means that had enabled him to overthrow the "Conservative party;" he burned villages, plundered churches, and confiscated the property of his enemies. It is estimated that from three to four thousand Americans perished in this disastrous undertaking. Finding himself besieged by

an overwhelming force of resentful Nicaraguans at Rivas, he was rescued, at his own request, from certain death, by Commander Davis of the United States Navy, who had been sent to that locality with the St. Mary's to protect the persons and property of American citizens. About 364 wretched and suffering men were taken on board the St. Mary's with Walker, and brought back across the Isthmus to the United States, at the expense of the Government. Here Walker began at once to plot another filibustering expedition against Nicaragua.

On the 14th of November, 1857, a steamer called the "Fashion" cleared from Mobile, in the regular course of commerce, under the flag of the United States. Her papers were all false. Walker and his comrades were on board this steamer. Walker had been arrested in New Orleans, but was discharged upon giving bond for his appearance in the sum of two thousand dollars. This bond he forfeited. Down the bay additional men, who had been enlisted at New Orleans, with arms and ammunition, were put on board the "Fashion" by another steamer, and her course was directed toward the shores of Nicaragua. Walker's force, which consisted of about one hundred and fifty men armed with rifles, was organized and drilled during the voyage, and everything was put in readiness for his hostile demonstration against that little country. Passing the bay of San Juan del Norte, he disembarked a portion of his force

about twenty miles below which attacked and seized the fort of Castillo, on the San Juan River. He also captured steamers and merchandise, killed some of the natives, and made some prisoners. On November 25, 1857, he landed the remainder of his force on Punta Arenas, an almost deserted point of sand which was claimed also by Costa Rica. Here he laid out his camp and established the "Headquarters of the Army of Nicaragua."

Commander Chatard of the United States Navy was in the Bay of San Juan, on board the "Saratoga," at the time the "Fashion" came in, but he had no reason to suspect her character, and believing that his instructions did not empower him to stop an expedition of this character in the waters of Nicaragua he allowed her to pass. For this he was censured and deprived of his command by the Government. Later Commodore Hiram Paulding, commander of the Home Squadron, arrived in the harbor of San Juan, on the flag-ship "Wabash." This squadron had been instructed to watch the Mosquito Coast for Walker's expedition. As soon as Paulding became acquainted with the situation, he landed a force of four hundred sailors and marines with cannon, through a rough sea, and captured Walker and his men. In this Paulding exceeded his instructions, as he frankly admitted. "I am sensible of the responsibility I have assumed," he said, "and confidently look to the Government for my justification."

Walker was taken to New York and handed over to the United States marshal, who in turn surrendered him to the Secretary of State. The Secretary declined to sanction the legality of his arrest, refused to recognize him as a prisoner, and disapproved of the conduct of Commodore Paulding. Walker's men were subsequently landed at Norfolk and discharged. Congress requested the President to lay all the papers before it, and Walker and his adventures thus became the subject of national concern. They excited the interest and sympathy of a large part of the people, and Walker was not without staunch supporters upon the floor of Congress, foremost among whom was General Quitman, who declared that the neutrality laws should be swept from the statute-books, as restraints upon the enterprise of the people.

This incident, which involved grave questions of international law, gave rise to a long and protracted debate in Congress, in which the Clayton-Bulwer Treaty was discussed and denounced. The dissatisfaction which was expressed during this session of Congress with the Clayton-Bulwer Treaty arose from the construction placed by Great Britain upon the first article of that treaty, which is dated April 19, 1850. That article provides that neither power shall ever "occupy, or fortify, or colonize, or assume or exercise any dominion" over any part of Central America. The United States construed the plain language

of this article to mean that Great Britain abandoned all such portions of Central America as were then in its possession, or under its protectorate. But Great Britain put upon this article the diplomatic construction that its language only prohibited them from extending their possessions, and did not apply to such portions of that country as were occupied by it at the time the treaty was made. This construction gave to Great Britain control of practically the whole eastern coast of Central America. These constructions being so hopelessly at variance with each other, the abrogation of the treaty was demanded, but to this Great Britain had not assented.

The question of neutrality had forced itself upon the attention of American statesmen in the earliest days of the Republic, first when the sympathies of the people for the French Republic during the European complications of 1793 led to the act of June 5, 1794, which was limited in its operation to a few years, and again in 1817, when an act was passed to restrain Americans from aiding an insurrection in Canada. This act was limited to one year. It was not until April 20, 1818, that the act which is still in force, known as the "Neutrality Law," was approved by President Monroe. This act was passed to restrain the citizens of the United States from aiding the South American colonies which were then engaged in a struggle to throw off the yoke of Spain.

The debate at this session upon the powers

conferred upon the President by this act took a wide range, and involved wide differences of opinion. The whole subject was thoroughly discussed with learning and ability. During this debate Mr. Jones took a firm and sound stand against filibustering in any form. He contended that the exercise of the powers given to the President by the act of 1818, to use the army and navy for the suppression of unlawful expeditions of this character, and the principles of international law as laid down by Vattel, Pufendorf, and Grotius was not limited to the harbors of the United States nor to one marine league from the coast, but that the President had power to suppress such an expedition, by the use of the navy, upon the high seas, or, if necessary, in the waters of the country against which the expedition was directed.

A resolution was introduced directing the presentation of a medal by Congress to Commodore Paulding for his gallant conduct in the arrest of Walker, but no action was taken upon it. Walker subsequently embarked upon another expedition, and was captured and shot in Honduras, September 12, 1860.

In reply to the speech of General John A. Quitman of Mississippi, who attacked the neutrality laws and defended the action of Walker, Mr. Jones spoke as follows. Mr. Jones had moved to refer the subject to the Standing Committee on the Judiciary. General Quitman had moved to amend by referring it to a Special Committee.

Mr. J. Glancy Jones. I rise for the purpose of taking issue with the honorable gentleman from Mississippi, as to the merits of his amendment. I understand that the most distinguishing characteristic of our Government is that it is a government of law—international law, constitutional law, statute law, or common law. I say that in the family of nations the most distinguishing characteristic of our Government is that it is a government of law. In drawing, therefore, the resolution to refer that portion of the President's message to the Committee on the Judiciary, I had in my eye the fact that in a government of law—in a government constituted as ours is—the Judiciary Committee is the proper one to which to refer this matter. What other committee in this Government is competent to consider this question? I did not mean, nor does the resolution mean, to imply any prejudged opinions upon the subject of the neutrality laws. The honorable gentleman from Mississippi, however he may be inclined to restrict the powers of the Federal Government, will never admit that this Government can fall beneath any other government under the canopy of heaven in its character of a government of laws. Whatever may be the limitation of its delegated powers by the reserved powers of the States, I am certain the gentleman from Mississippi will never doubt its just power in the family of nations. Now, I do not know that I differ from the honorable gentleman from Mississippi upon the subject of the neutrality laws. I mean to confine my remarks exclusively to the question of reference. But as the honorable gentleman from Mississippi has chosen, at this stage of the proceedings, to go into the merits of this question, I

must set him right on a few points that command my attention. The gentleman says that the President, in his annual message, recommends, instead of the repeal of the neutrality laws (as my honorable friend would have it), the enactment of more stringent provisions for their enforcement. Now, my honorable friend is mistaken, or I am, in the construction he puts upon the language of the message. It does not even endorse the present neutrality laws. But, sir, the Executive of this nation tells you that if you want him, in obedience to his oath of office, to execute your laws, you must give him the power to carry them into effect.

MR. QUITMAN. If the gentleman will allow me, I will call his attention to the language of the President in his message. He says: "I commend the whole subject to the serious attention of Congress, believing that our duty and our interest, as well as our national character, require that we should adopt such measures as will be effectual in restraining our citizens from committing such outrages." Now, sir, if the President, in this language, did not intend to recommend the enactment of more stringent laws upon the subject, but simply to ask for additional executive powers, I shall be very happy to learn that I was mistaken in the construction I have placed upon it, and that the recommendation is not so objectionable as I supposed.

MR. J. GLANCY JONES. Allow me to say to my honorable friend from Mississippi, once for all, that I do not undertake to speak for the President. I speak merely of my construction of the message of the President, as I understand it, speaking as the Executive of the nation to the legislative branch of the Govern-

ment. I understand the honorable gentleman from Mississippi to take issue with the laws as they now stand upon the statute-book. Well, sir, my point is, that he must not infer that the President of the United States will not concur with him—certainly not that I shall not concur with him—in a revision of those laws. I repeat, sir, that the proper construction of the language of the President's message which the gentleman has quoted is this. The President of the United States says to the legislative branch of the Government: "If you wish me to execute your laws, if you want me to carry out the provisions of your statutes, you must clothe me with a greater power. I must have more stringent legislation." But it does not follow, it is a non sequitur to say that because the President of the United States says this, he is not in favor of the repeal or modification of the neutrality laws. I am not prepared to say how far I shall be willing to go with the gentleman from Mississippi in favor of such repeal or modification when the question comes properly before us. The honorable gentleman has no personal feeling against the Executive; he can have none other than in so far as he may perhaps differ from the views the Executive has expressed. He has a perfect right to differ from the Executive; but I shall be happy if I can be able to satisfy his judgment that the question as to the merits of the neutrality law remains an open question. I do not know yet how far I may be prepared to go with the honorable gentleman upon this subject when it legitimately comes before this body.

Mr. Chairman, perhaps there are gentlemen here who wish to discuss the subject of the neutrality law

of 1818; but occupying the position which I do, I feel it to be my duty to hasten the action of the committees of this House upon the appropriate subject-matters of legislation embraced in the President's message. After having made a brief reply to the gentleman from Mississippi, I shall speak on the question simply of reference of these subjects to the appropriate committees. I look upon the Committee of the Judiciary as the legitimate committee for the investigation of the matter alluded to; and in so believing I am supported, I am happy to say, by the honorable gentleman from Mississippi himself. I concur with the honorable gentleman in every particular of his speech, and he should concur with me in the question of reference. But the gentleman asks for a special committee; a special committee to pass upon the powers of this Government; a special committee to usurp the jurisdiction of a standing committee which has existed in this House since the foundation of the Government. Special committees have ordinarily been created when special subjects have arisen. They have been created when an emergency, or a particular occasion, had given rise to a matter never before settled by precedent, and which legitimately belonged to none of the regular standing committees. In such cases the Speaker has been authorized to appoint a special committee, to devote its special attention to the particular and special subject referred to it; but there is not a single instance on record where the legitimate jurisdiction of a standing committee of this House has been usurped by or transferred to a special committee. On the contrary, it has been the uniform practice of both branches of Congress, since the beginning of the

Government, to refer for investigation and report all questions pertaining to international law, the constitutional or statute law, and all questions pertaining to the functions and powers of the Government and its officers, to the Committee on the Judiciary. But, sir, I want my honorable friend from Mississippi to understand that, in advocating the reference of the resolution to the Committee on the Judiciary, I do not mean in the slightest degree to be understood as taking ground against any modification of the neutrality law. I have strong doubts as to the extent to which this Government has gone in the enactment of the law. I do not wish, therefore, in moving the reference of the gentleman's proposition to the Committee on the Judiciary, to be understood as throwing obstacles in the way of the accomplishment of the object he has in view. I am in favor of investigation into the question, and believe that the Committee on the Judiciary is fully competent for the discharge of that duty. That committee is competent to examine the whole subject from beginning to end. And when that committee does report its conclusion from an investigation of the facts referred to it, I shall then be prepared, if necessary, to give my views on the subject.

Mr. Chairman, the honorable gentleman from Mississippi, at the last session of Congress, moved the reference of a similar proposition to the Committee on the Judiciary. I find in the House Journal, 1856–1857, page 916, the following:

"Mr. Quitman, by unanimous consent, introduced a bill (House bill No. 312) to repeal certain sections of the neutrality law; which was read a first and second time, and referred to the Committee on the Judiciary."

I quote this for the reason that I want the powerful aid of my friend from Mississippi in the enforcement of the position I take on the question of reference.

The President recommended to Congress at this session the adoption of some plan for the construction of a railroad to the Pacific. Mr. Jones offered a resolution that this portion of the message be referred to the Committee on Roads and Canals, which was subsequently amended by referring the subject to a special committee of fifteen.

This important subject gave rise to a lengthy debate during the session, in which the necessity for such a road, the power of the Government to build it, the most desirable route, and the best plan to be adopted for its construction were fully considered. Mr. Jones took part in this debate, but no action was taken before the adjournment of Congress.

CHAPTER XXV.

The heated political campaign of 1858—Mr. Jones' unanimous renomination for Congress for his fifth term by the Democrats of Berks County—His visit to Washington—Is serenaded by citizens—His speech to the crowd from the balcony of his residence—A split in the party—Lecompton and Anti-Lecompton Democrats—Mr. Jones is opposed by a candidate without distinction of party—A memorable contest—Mr. Jones' defeat by nineteen votes—Is appointed Minister to Austria—Resigns his seat in Congress—Visit to Washington—Speech in response to a serenade—Mr. Jones' departure for Austria.

AFTER the adjournment of Congress, the country was thrown into a heated political contest over the election of members of Congress, upon the issues raised by the events which had transpired in Kansas. The Democratic party was divided into the adherents of Mr. Buchanan, under the name of "Lecompton Democrats," and the followers of Mr. Douglas, under the name of "Anti-Lecompton Democrats." Mr. Jones, as a national leader, became a shining mark. The party throughout the country that had not approved his course upon the Kansas question brought every means within their power to bear upon the people of his district to accomplish his defeat. Whilst disclaiming all personal motives, they urged the moral effect of his defeat upon the country as a justification for the pressure and money which they threw into this

small arena, which had become a national fighting-ground.

Berks County was no longer the hide-bound political district it had been in quiet and peaceful political times. The upheaval of this political revolution was felt within its borders. There was much independent political action among its people. Instances had been numerous in the county in the past, as we have seen, where representatives in Congress had been chosen by majorities ranging from 500 to 1000. Mr. Wanner, who was afterwards chosen to be the regular Democratic candidate to fill Mr. Jones' unexpired term, was defeated by the Republican candidate by upwards of 1000 majority. Of course, Mr. Jones' long public life had made for him the usual allotment of political enemies out of the disappointed men. Disappointed political aspirants ascribed all their disappointments to him. Every element of opposition was combined against him. The county of Berks was a great iron-manufacturing district. The interests of the manufacturers and their employees were appealed to, and strong efforts were made to unite them against Mr. Jones by calling their attention to his repeated declarations upon the floor of Congress and elsewhere that he was opposed to the doctrine of protection, and in favor of a tariff for revenue only. His friends rallied to his support with rare zeal, fidelity, and devotion. The first attack was made upon him within the party, against his renomi-

nation. This hopelessly failed. He was unanimously renominated by the County Convention for his fifth term in Congress.

After his nomination Mr. Jones went to Washington. During his brief visit there he received the compliment of a serenade by the citizens, who marched to his residence, preceded by a brass band, to congratulate him upon his unanimous renomination. Being loudly called for, Mr. Jones appeared upon the balcony and spoke as follows:

My Fellow Citizens: I feel deeply sensible of the honor you have done me to-night in calling to congratulate me upon an event which is of deep interest to myself and my constituents, although I had not supposed that it extended much beyond that. I am deeply sensible of it, not so much as a personal compliment to myself, as a compliment to the noble Democracy of the county which it is my honor and my good fortune to represent in the Congress of the United States. [Applause.] We have no national issues at present pending before the country, there are no questions that are agitating the country now, of a national character, upon which the people of the whole country are called to pass judgment, or such as it might be supposed the people of Washington would feel a very deep interest in. In the year 1856, this country was convulsed from one end to the other with questions that did make every man's heart, who loved his country, throb with anxiety and fear. But that has all passed away, and we are now in the midst of peace and prosperity. Our country is happy and united; and al-

though, in consequence of financial revulsions, we are suffering in some parts of our country, and to some extent perhaps throughout the whole of it, yet Providence has blessed us with plenty. Our country is at peace; the Union is loved and revered, and is more strongly cemented together now perhaps than it has ever been during any period in our history.

I regard this compliment, my fellow-citizens, as a compliment to the old and noble county of Berks, which I have had the honor to represent now for nearly eight years in Congress. [Applause.] I take the compliment for her; and although, as I have said, no questions of national importance are now agitating the country, I accept this call as a token of the high regard for the fidelity of that old county in standing by me and in sustaining the administration of James Buchanan and the national Democracy. [Cheers.] That old county, fifty-eight years ago, when Thomas Jefferson was first elected President of the United States, took her stand by his side. She was a sound Republican county, as it was called in the days of the elder Adams. When Jefferson was elected President, she cast her vote for him; and from that day to this that old county has never faltered in a single instance. Increasing her majority from year to year, she cast nearly seven thousand majority for James Buchanan when he was a candidate for the Presidency in 1856. [Applause.] Mr. Buchanan was elected, and he marked out his course to the country in his inaugural address. During the last session of Congress, after his annual message was delivered, the country was again convulsed by questions which, although of a temporary character, as the citizens of Washington are well aware, kept it in

a state of suspense for several months. I felt it to be my duty to stand by the President in that issue. I felt it to be my duty as a Democrat to labor unceasingly and with all the power that I possessed, as the representative of a district that cast seven thousand majority to sustain the administration; and I need not tell you what the result was. After the adjournment of Congress, in accordance with the peculiar features of our institutions by which every representative is required to render an account to his constituents, I went home to render an account of my stewardship to old Berks. I did not suppose, my fellow-citizens, that the contest for my nomination was one that would excite any deep interest in the country at large; and even here in the city of Washington, where I have so long resided as almost to become one of you, I hardly thought this contest would be of much interest to you. But I found, before I had returned home a week, that all the powers of faction had been arrayed against me. I found—not dreaming that I was regarded of so much importance—that I was considered a choice victim, to be immolated upon the altar, and all kinds of denunciations were heaped upon me. But I submitted my name to my fellow-citizens, and consented to be a candidate for nomination for the fifth time, for the sole purpose of presenting to my constituents the question whether they would endorse my course in Congress, and in relation to the administration of Mr. Buchanan. The question was contested fiercely; and you are well aware, for it has appeared in the public prints, I had the pleasure of finding that one hundred and fifty delegates from my own county gave it their unanimous approval and endorsement. I confess to you,

my fellow-citizens, that I did feel proud of that endorsement of my course, not solely because it was an endorsement of my own political action, but I felt especially proud that that old county, which had never faltered in standing up for the principles of the Democratic party for more than half a century, came forward to endorse my political course in sustaining the President of the United States in the patriotic measures which he had adopted to uphold the constitution and the Union. [Great applause.]

My fellow-citizens, I repeat—for I know that you do not expect me to make a speech, and I shall not occupy your time in attempting to discuss any national questions—I regard this call upon me as a compliment to the good old county of Berks. I thank you for the honor you have done me, and bid you good night.

Finding that they could make no impression upon the solid ranks of the regular Democratic party, the disaffected and disappointed Democrats, Republicans, and other elements of opposition united upon a man whose affiliations had theretofore been with the Democratic party. He was nominated at a public meeting, without distinction of party, as Mr. Jones' opponent for Congress. It was the most memorable political contest the county had ever known. It was not, in its true sense, a personal contest, Mr. Jones had been unanimously chosen by his party to lead them in this fight, and he made the fight, not because he wanted the office, but for the triumph

of his party and its principles and for the vindication of his own political course. He had never entered into an aggressive contest to secure any of the important political positions he held. He was in no sense a self-seeking man. Whatever mark of public esteem and confidence he had received, whatever position of prominence and honor had been conferred upon him, had come to him without persistent effort upon his part. The most striking features of his character were his political unselfishness, his modesty, and his unobtrusiveness. If his name was at any time suggested for a position, even if the suggestion was acceptable to him, he ceased to entertain any thought of it if the public sentiment did not promptly and cordially respond to the suggestion. His sensitive temperament would not allow his claims to be thrust upon the consideration of others. He would not go into a struggle for any place, no matter how promising the prospect of success might be. His first nomination for Congress came to him through the overwhelming expression of the sentiment of his party, rather than through any effort of his own. When he determined not to continue in Congress, it was because his private interests demanded that he should return to private life and the work of his profession. His second nomination for Congress came to him without any solicitation upon his part, and rather against than in compliance with his wishes and inclinations. His subsequent nomi-

nations and elections to Congress came to him as a matter of course in the natural order of events. When his name was prominently suggested for a place in Mr. Buchanan's Cabinet, the suggestion did not come from him, but from the universal sentiment of the country, because he was one of the most prominent men then before the public and the people recognized his fitness for the position and conceded it to him as a recognition of the prominent place he held, and the prominent services he had rendered to the party and the country as a public man. When he declined to accept the position of Minister to Berlin, he had had no previous intimation that the place would be offered to him. When he was appointed Minister to Austria, the appointment came to him as a complete surprise.

In ordinary, quiet times, when there are no crises in public affairs, when public events move on in regular, smooth routine, a public man may pass along without any strain that brings out the weakness or the strength of his character. It is not so with the men whose official life is cast in the stormy times when the nation is passing through some crisis in its history, such as the period which covers Mr. Jones' Congressional career. The questions involved in the controversy over the status of slavery in Kansas went to the very bottom of the nation's life. It was a time that brought out the weakness in the characters of many men. To stand up then boldly and un-

waveringly for the constitutional rights of the South, bitterly assailed as they were throughout the North, required both courage and strength of character in a public man representing a Northern State. The violent and apparently successful attempt that was then being made to deprive the foreign-born citizen of his political rights, and the Roman Catholic of his religious freedom, had taken a strong hold upon the popular fancy, and was sweeping over the country like a great popular wave. Many weak and vacillating Democrats who thought they foresaw the dissolution of their own party sought to save themselves from the wreck by taking refuge in the ranks of the new movement, and allowed themselves to be carried away by this popular wave. These were trying times that put a man's character to the test. An adherence to principle then—not only adherence, but a strong, aggressive stand in defence of principle regardless of public clamor—meant not only strength of character but integrity of purpose, to a high degree, in the man who had the courage to stand up for what he believed to be right without regard to the effect it might have upon himself and his political future. Mr. Jones met all these issues, as they arose, in the spirit of a true statesmanship that considered only the welfare of the whole country, and not that of a section, and the rights of all the people without regard to where they lived, or where they were born, or what their consciences might dictate to them

when it came to the sacred things that exist only between the individual and his God.

At the Congressional election in the fall of 1858 only one Democratic member of Congress was elected in Pennsylvania. Mr. Jones' opponent was returned, elected by a majority of nineteen votes; and it is doubtful whether the defeat of any public man ever created so much satisfaction among the opponents of the Democratic party throughout the country as the defeat of Mr. Jones. The return was not an honest one. Sufficient frauds were discovered in the unprecedented majority of over eight hundred returned for his opponent in the city of Reading alone to reverse this return. It would probably have been impossible, however, in the temper of the public mind and the complexion of the Congress that had been chosen at that election, which was overwhelmingly against the Democratic party, to seat Mr. Jones. Moreover, a contest was not considered. Mr. Jones had not made the fight because he desired to continue his service in Congress. Personally he was averse to it; but he had acted in obedience to the wishes of his party friends throughout the country, and from desire to secure a vindication of his public course at the hands of his fellow citizens.

The defeat of Mr. Jones was not a personal one. He shared the fate of his party, to whose principles he had always been devoted, and to which he had adhered faithfully to the end. There

were several causes which led to the result. The defection of Mr. Douglas contributed largely to the defeat of the Democratic party. But chief among the causes which brought about this result was the extraordinary growth at the North of the feeling against the institution of slavery. This feeling was revolutionary. It was not restrained by the majesty of the law, by authority, or by respect for the rights of others. It had become a great humanitarian sentiment. It was one of those episodes that occur in the history of mankind. It was universal; it was inevitable. The time seemed to have come when, after existing for centuries with the approval and sanction of mankind, human slavery was suddenly to disappear, at any cost, from the face of the earth. The Democratic party had never defended slavery upon its merits; but there was no room in the enthusiasm of its opponents for a just discrimination between the defence of the clear right of a slaveholder to hold his slaves and the advocacy of the institution of slavery itself. To them these were the same. To their minds anything that resulted in maintaining the institution of slavery was wrong, no matter what its justification might be. It was before such blind enthusiasm as this that the Democratic party went down, and it was twenty-six years before it was returned to power.

The causes of Mr. Jones' defeat,—if such a return, with its meagre majority of nineteen

votes, could be called a defeat,—are not far to seek even in the light of those times, but they are made clearer by the events which surrounded the Charleston Convention less than two years later. It may be well also to recall in this connection, what was said in Volume I, page 133 of this biography, upon the subject of disorganization within the democratic party in Berks County. Mr. Jones was not unmindful of the bitterness and uncertainty of this contest. He had seen the clouds gathering, but was not dismayed. With him it was a fight for principle. He was a man of positive convictions, and when he reached those convictions he had the courage of them. He would uncompromisingly make battle for them rather than yield anything for the temporary advantage of success. He had long been interceding with certain weak and wavering elements in the democratic party who were unsound upon the vital principles involved in the Kansas-Nebraska legislation. He referred to these wavering democrats in his Bloomsburg speech wherein he stated that he had often abstained from entering into the debates in the House upon this legislation for fear that by his uncompromising attitude these wavering Democrats might be still further estranged, and their support be lost to the vital principles involved in that legislation. Later these wavering Democrats had gone further astray into the growing sentiment against slavery, and many of their followers were now found in

the ranks of Mr. Jones' enemies, under the name of anti-Lecompton Democrats, in the heat and strife of this noted campaign.

Mr. Jones had always been a consistent opponent of the doctrine of protection as the object of tariff legislation. His district had become a large manufacturing centre, and many Democrats who were directly or indirectly interested in manufactures were found among his active opponents in this campaign.

The long period of Mr. Jones' public life had been a stormy one. His time was largely occupied by the prominent part he took in the great issues of those times. Many who had been his political friends and admirers had expected more personal preferment from him than he was able to give. This campaign afforded them an opportunity for their resentment, which he did not deserve.

Immediately after the election Mr. Jones received a letter from the President of the United States voluntarily tendering to him the mission to Austria. The tide of rejoicing was turned. A salute of thirty-two guns was fired upon the receipt of this intelligence in Reading, and the Democrats of the city went in procession to Mr. Jones' house, preceded by a brass band, to extend to him their congratulations.

Having accepted the mission to Austria, Mr. Jones resigned his seat in Congress, and this ended his Congressional service. During his career in public life he was actively confronted with the

great public questions of slavery, the tariff, the Cuban question, the Monroe doctrine, Indian affairs, and civil and religious liberty, all of which received his most careful and conscientious consideration. Upon all these questions his views were those of a broad statesmanship, and were wise, conservative, and absolutely sound.

While in Washington preparing for his departure upon his foreign mission, Mr. Jones was serenaded by his friends, accompanied by the Marine Band, who extended to him their congratulations through General Joseph Lane of Oregon. In reply to this serenade, Mr. Jones spoke as follows:

Mr. Jones, being greeted with enthusiastic cheers, returned his thanks to his fellow citizens of the city of Washington for the unexpected honor that they had conferred upon him. It would not be proper, nor was it expected, he remarked, that he should make a speech on this occasion; and were he to attempt it, he should utterly fail for want of language to express the deep feelings of his heart, and his gratitude for the compliment they had paid him in calling upon him to congratulate him upon the honor recently tendered him by the President of the United States. For the last eight years he had spent about half of his time here; and that was among the happiest periods of his life. Coming among the people of Washington as a stranger nearly eight years ago, it had been his pleasure to meet them in social intercourse, to mingle with them in his public and private relations, and to cultivate those amicable feelings which contribute so much to

the happiness and enjoyment of life. He felt this to be the proudest triumph of his life, that, after having spent so much time here, he had been deemed worthy of such an enthusiastic reception as this by those who knew him best. He had simply to say that, whether at home or abroad, whether in the domestic or foreign relations of our Government, he should remember the period of his association with the citizens of Washington to the last days of his life. He then closed by repeating his acknowledgments and thanking them for the compliment they had paid him.

After three hearty cheers had been given for Mr. Jones, General Lane, of Oregon, was loudly called for, and made a few remarks. He said he did not come there to make a speech, but to tender that welcome to Mr. Jones that had brought so many of his hearers to the spot. It had been his fortune to serve with Mr. Jones for almost eight years in the House of Representatives; and he was a witness to the fidelity and honesty with which he had there discharged his duties. His devotion to the country, the Constitution, the Union, and the rights of the States as secured by the Constitution, was the cause of his failure at the late election. He had been stricken down by intrigue, manœuvring, and political management; and it was gratifying that the faithful patriot who presides over the destinies of this country saw the capacity, honesty, and integrity of Mr. Jones and gave him a mark of his confidence in an honorable appointment abroad. It was a wise choice; it was confidence well bestowed. General Lane thanked them for calling him out, and also for this manifestation of their regard for his worthy friend, Mr. Jones.

Governor Stevens and Mayor Berret made brief speeches in answer to calls from the assemblage; and then the company proceeded to the Executive Mansion. The President appeared at the window, and was loudly cheered by the vast throng who had then gathered. He remarked that his days for making speeches were over, but his heart impelled him to thank them for the honor they had done him in calling upon him. He entertained a very warm regard for the people of Washington, and knew that among them were as true and faithful Democrats as were to be found on the broad surface of this country. He then bid them good night.

Upon visiting the Navy Yard, Mr. Jones was received with an official salute.

Mr. Jones' departure from Reading for his foreign mission is thus described in a local newspaper:

DEPARTURE OF MR. JONES.

The Hon. J. Glancy Jones, U. S. Minister to Austria, left this city on Wednesday morning last, on his way to New York, whence he will depart, with his family, on Saturday next, the 8th of January, for Vienna, *via* Havre and Paris. He was escorted from his residence to the Railroad Depot by a large number of his friends, in procession, headed by the City Band. Before entering the cars, he responded to the greetings of the crowd in a brief address, bidding farewell in appropriate and eloquent words to the people of his county, whose confidence and esteem he has so long enjoyed. A delegation of nearly one hundred citizens

accompanied him to Philadelphia, and dined with him at the Merchants' Hotel. His friends availed themselves of the occasion to pay him a parting compliment to which Mr. Jones replied in a speech of deep feeling and impressiveness. Addresses were also made by Messrs. Hiester Clymer, J. K. McKenty, James B. Bechtel, and J. Lawrence Getz. This impromptu demonstration, and final interview between Mr. Jones and the large company of his late constituents, was highly gratifying to that gentleman, and interesting to all who participated in it.

A complimentary dinner was tendered to Mr. Jones prior to his departure, by his fellow citizens of Reading irrespective of party; but he was compelled to decline it, for want of time. The letter of invitation, with Mr. Jones' reply, are subjoined:

HONORABLE J. GLANCY JONES:

DEAR SIR: Some of your old neighbors and personal friends wish to meet you once more, before you leave Reading, to take you by the hand and to wish you God speed upon your distant and honorable mission. They could not permit you to pass out from their midst, with justice to you or to themselves, without tendering to you this wish, and they beg that you will name some day when it will suit your convenience to meet them for those purposes, at the social board.

The undersigned, wishing you all health, happiness, and prosperity,

Remain, as ever, &c.,

J. PRINGLE JONES,	J. KNABB,
FREDERICK LAUER,	LOUIS RITTER,
CHARLES KESSLER,	HIESTER CLYMER,

Henry W. Smith,	E. L. Smith,
John Banks,	Philip K. Miller,
J. Hagenman,	Edward M. Clymer,
J. H. Hain,	John McManus,
J. Lawrence Getz,	H. R. Hawman,
H. F. Felix,	D. McKnight,
Michael P. Boyer,	Charles Boyer,
J. Hoffman,	Charles B. McKnight,
James McCarty,	C. H. Hunter,
David F. Gordon,	George Smith,
P. O'Reilly,	S. E. Ancona,
David Fister,	George W. Bruckman,
Jacob K. McKenty,	R. F. Brown,
David Schall,	James Nicholson,

William Rhoads, Jr.

Reading, December 24, 1858.

Reading, December 27, 1858.

Gentlemen:

I am in receipt of your letter, in which you do me the honor to tender me a public dinner, as the most convenient mode of giving expression to the kind feelings which, as old neighbors and personal friends, you are pleased to entertain for me. Coming from such a source, on the occasion of my departure to a foreign land, I am at a loss to express to you how deeply sensible I am of this manifestation of your regard. It is with sincere regret that I am compelled to decline the honor thus tendered, in consequence of the very short time allotted to me to prepare for my departure. In doing so, however, I have the pleasing reflection, that although deprived of that social form of interchanging mutual expressions of regard and esteem, I still have

the evidence in your letter, of the kind feelings and good wishes entertained, and so happily expressed, the fond recollection of which I shall cherish as long as I live.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

To Hon. J. Pringle Jones, Frederick Lauer, Mr. Charles Kessler, H. W. Smith, Esq., Hon. John Banks, J. Hagenman, Esq., and others.

CHAPTER XXVI.

Mr. Jones' residence in Vienna—Rights of neutrals upon the high seas—Mr. Jones' diplomatic correspondence—Visit of Robert C. Winthrop and William H. Seward to Vienna—Mr. Jones' diary—The election of Abraham Lincoln—Appointment of Anson Burlingame as Mr. Jones' successor—His rejection by the Austrian Government—Mr. Jones consents to remain temporarily—Appointment of J. Lothrop Motley as his successor—Mr. Jones' return to America—His diary.

MR. JONES' public life now passed from the stormy arena of American politics into the more peaceful fields of European diplomacy, for which, perhaps, his personal qualities better fitted him. The change was very acceptable to him. His acquaintance with the diplomatic corps in Washington had been quite extensive, and Mr. Marcy, while he was Secretary of State, frequently conferred with him upon such questions of foreign policy as came before Congress. His knowledge of history was extensive. He had always taken a deep interest in international law. He kept himself well informed upon the varied phases and active movements of European affairs, and was familiar with the intricate questions which affected the relations of foreign countries to each other.

When he landed in France, the Second Empire, under Napoleon III., was in the height of its power. The German Empire was still a remote

possibility. France and Austria were on the threshold of the bloody conflict which led to the readjustment of Italy, and the Eastern question occupied the attention of all the European powers. Though America had not yet attained the position it now occupies among the nations of the world, its importance was recognized, and its representatives were received and treated with great consideration and respect.

Mr. Jones' residence at Vienna was a most agreeable and successful one, made especially so by the cordial treatment he received from the Court, the Minister of Foreign Affairs, the cultivated society, and the diplomatic corps. That he was an able and accomplished diplomatist, thoroughly acquainted with international law, holding in his grasp the significance of current international events as they transpired, correctly forecasting the signs of the times, and keeping himself closely in touch with the moves that are always going on in the game of European diplomacy, is abundantly shown by his vigorous efforts in behalf of the rights of neutrals on the high seas, and by his able diplomatic correspondence, which is contained in the Appendix to this biography. Six months after he left Vienna, Mr. J. Lothrop Motley, his successor, wrote to him: "Count Rechberg [the Austrian Minister of Foreign Affairs] always speaks of yourself with the greatest respect and regard."

Upon one occasion Mr. Seward and Mr. Robert

C. Winthrop of Boston were passing through Vienna. Naturally, the customary court dress formed no part of their wardrobe. They desired an audience of the Emperor, and at Mr. Jones' request the Emperor waived this most important formality, and, without precedent, cordially received these distinguished American statesmen in ordinary evening dress.

In the winter Mr. Jones' residence was within the walled city. During the first summer of his residence in Vienna he occupied a delightful villa adjoining the beautiful gardens of Schönbrunn. The following summer he occupied a villa at Baden.

Mr. Jones' diary contains many notes of the journeys he made for pleasure and recreation while he resided at Vienna. Among others he mentions his visit in September, 1860, to Oberammergau to witness the Passion Play, which has been devoutly performed there every ten years since the region was relieved from the scourge of "the plague." This diary also contains notes of his prolonged visit to Italy in April, 1861, with Governor Wright of Indiana, who had been appointed Minister to Berlin when Mr. Jones declined that position at the beginning of Mr. Buchanan's administration. These notes show the great pleasure he derived from his travels through that interesting country, with whose history and literature he was so familiar. This diary also contains notes of the little trips he took to Ischl, the chief

summer resort of the Viennese, and other places in the neighborhood.

From this diary we have made the following selections:

TRIP TO BUDAPEST, HUNGARY

5 *June*, 1861. Took passage on Steamer accompanied by Charles, Mr. Delaplaine, & servant Joseph; weather fine. River high.

Pressburg, Old Capital of Hungary, finely situated on a high Bluff; Old Royal Palace surrounded by wall. The Capital was changed in 1848 because it was too near Vienna.

The scenery from Pressburg to Gran is very fine. The Danube runs chiefly through a grazing country. The resources of Hungary are certainly very great. If the old estates were broken up & thrown into the Market & the monopolies of Railroad & River navigation were open to fair competition, Hungary would double its wealth and population in a few years.

Gran is situated on the right Bank of the Danube. (Duna in Hungarian.) The Cathedral is finely situated on a hill, but the town has no other attraction than as the seat of the Cardinal Archbishop, who is Primate of Hungary.

Arrived at Budapest at 6 P.M. Buda lies on a high hill on the right bank & is the old town. The Imperial Palace stands on the higher point of the hill. A wall surrounds the town. Pest lies on the left bank upon lower, level ground, & is without a wall—it being a modern town. It is much the larger town & the most business-like & prosperous. Between the two towns, and connecting them, is a very fine suspension bridge.

6 *and* 7 *June.* Visited the Land Tag, or Hungarian Diet. Seats were kindly reserved for us. The House has about 300 members elected for Three years by the people in Districts of 30,000 inhabitants. Every man is entitled to a vote who has a rental income of £11. The Lords were not in session. The House was. Each Hungarian Nobleman is entitled to a seat. There are about 800 of these, though only about 280 attend. The Law of Primogeniture does not exist universally as to estates; it only applies to what are called Magnates, but the title and rank goes to each Son and in many (a Majority of the States) the property is divided among the children equally.

We visited the Diet twice, and were much pleased with the spirited manner of the delegates.

Went to the riding school, and the Museum and received very polite attention from Count Bela Széchényi, Count Korroly, Messrs. Madarász and Hajnik, and Count Szapary.

Attended the races and saw some very fine Racing.

Were introduced at the Casino, where we dined and read the newspapers.

Went to the Palace and Baths in Buda, and took a warm sulphur bath. Afterwards looked at the public Baths and bathers. Visited the Theatre.

8 *June.* Took the cars at 7.22 A.M. and reached Vienna at 2 P.M., much delighted with our visit. The Rail Road runs up the north Bank of the river to Vienna, passing Gran and Pressburg. The country is flat, chiefly grazing land; it is pleasing, and covered with cattle, sheep, geese, and hogs.

Count Teleki's seat was draped in mourning. We attended a requiem at the Jewish Synagogue in memory of Teleki.

Pest is destined to be a flourishing town as soon as commerce, manufactures, and agriculture are relieved of their Shackles and opened to free competition.

Cavour's death was announced to me while I was in Pest.

TRIP TO ISCHL, &c.

Sunday, 23 *June*, 1861. Left the Arch Duke Charles Hotel for Lambach at ½ past three o'clock. Charles left at 11 A.M. for Baden. Weather very hot; my servant Joseph with me. The Country looking fine and the scenery in its best dress. Had a heavy thunderstorm, which cooled the air and clothed the Verdure in the richest color. Reached Linz at 9, and left for Lambach. Arrived there in an hour, and took apartments at the Rail Road Hotel.

June 24. Slept well, and in the morning rambled over the hills. At 11 took a carriage, which I preferred to the R.R., to Gmunden, because I could see the country to better advantage and visit the Traun Falls. In an hour and ½ I reached the Traun Falls, which pleased me much, not because of their height, for I have seen higher. Of course I was not much impressed with its size, as I had seen Niagara, but it was very picturesque and pleasing. The rocks, being humorous and of soft Pudding-Stone, turn the water into all sorts of shapes and figures. The Fall is 42 feet high, enough to give you a perfect idea of what a Water Fall is. The Spray is very fine. I viewed it from half a dozen different points, and then had a fresh trout of large size, taken from the stream, cooked to suit me; it was broiled in butter, and on that, with strawberries and cream, I made my dinner. The whole cost me 2 Gulden or 62 and

a half cents. I then went to Gmunden and took pleasant apartments overlooking the lake, where I now am.

June 25. Took a bath and then went fishing and rowed on the lake. I afterwards spent an hour on the lake shore.

June 26. Started early to ascend Frauenstein, which I found very tedious and tiresome. Dined on the way, and returned in the evening very tired.

June 27. Left at 8 o'clock A.M. in a Steamboat for Ischl and arrived at 11. Visited the Salt Works, where the Salt Water is boiled, or evaporated, and the salt separated. It is dug out of the mines mixed with earth and other foreign substances not soluble. The whole is mixed with water, which dissolves the salt, and the insoluble matter is precipitated. The brine is then conducted in wooden pipes some eight miles, where it is thrown into pans and evaporated. As the water evaporates the salt is precipitated. It is then shovelled out and packed in wooden vessels about the size of a peck measure, and of very much the same shape. After standing a few hours it is taken out of the moulds and put into a furnace, where it is dried, for two days. It is then hard enough to be transported. Each form weighs 60 pounds and is sold for eight Gulden. It costs the Government one Gulden and 50 kreutzers.

June 28. Travelled over the grounds of the European Villa. Received a letter from Charles, and one from Richmond, &c.

June 29. Rambled over the grounds and walks and read Du Chaillu's Explorations in Africa. Had another call from Colonel Fancourt-Holliday (St. Paul) in Ischl. Heard of the Sultan's death.

June 30, *Sunday*. Very rainy. Has rained daily,

somewhat, ever since I have been in Ischl, but as it is warm enough I prefer it to the excessive heat and dryness. Rained hard all day, so I remained in the House, and read the papers and Du Chaillu's Travels in Africa. As Colonel Fancourt lives 6 miles out of town, I did not go to dine with him on account of the rain.

July 1, *Monday.* Not clear yet, and remained in the house.

July 2, *Tuesday.* Clear and pleasant. Walked the hills for three hours, then took lunch and drove seven miles into the country to see Colonel Fancourt. Made a very pleasant visit, and returned to dine.

July 3, *Wednesday.* Intended to go to-day to Aussee, but at 5 A.M. when I arose I found it raining hard. It rained all day and confined me to the house. Rev. Mr. Ainslee called to see me. He is an English Gentleman who married a relative of the Speaker of the House of Commons.

July 4, *Thursday.* Left in a private carriage at half past 7 o'clock A.M. for Aussee. The weather was clear and settled once more. Passing through Laufen, Goisern, and Agatha, I climbed the steep hill and came to Aussee: a very pleasant village—thence by carriage to Altaussee and Lake, and thence to Grundlsee. I returned to Aussee to dine and look at the town. The hill prospect is beautiful beyond description. Left at 5 P.M. in a private carriage for Over Traun. This road passes over the most fearful precipice, and really, for the first time, I felt uneasy. At Over Traun I took a boat and reached Haldstadt at 7 P.M. I visited the church, 540 years old, and the little water falls on the Traun. I heard Tyrolese singing on the Lake in the evening, which sounded well.

July 5, *Friday.* Left at 7 A.M. on a mule to visit the Water Falls of Walbach Strub. Found it pleasing, but not equal to my expectation. Returned to breakfast at 10 o'clock. After breakfast left on a mule again to ascend to Rudolph's Thurn, a height of 1600 feet and lamost precipitous. The path is in fine condition and ascends in zigzags. It runs along the face of the hill until you reach the top, which takes an hour. There are frequent benches and little pavilions neatly covered for shelter and resting places. Rudolph's Thurn dates back to the 13th Century. The Salt Mines afforded every evidence of being worked by the Celts prior to the Roman Conquest. The burial ground furnishes conclusive proofs of this. The graves are often opened and the skeletons found with their ornaments of gold, silver, copper, etc., upon them. As a compliment to distinguished visitors a grave is opened for the first time. This honor was considered due to me and a grave was opened in my presence. Of course nothing but a skeleton and dust of the wood remained. By the head was found a bronze pin and a whetstone, which I brought with me as relics. The proof is conclusive of their having been buried for over 2000 years. I looked at the fine collection of minerals, dug out at different periods, some petrifactions, etc. I then entered the mine, which is 500 feet further up the hill. A white, loose dress and slouch hat is furnished, and one enters in a little carriage which is pushed on a railroad 1,000 feet into the mine. After wandering through various drifts and examining the various and singular formations, I reached the Salt Chamber, of which there are several. This one being empty I found illuminated with red, white, and blue lamps. It was 20 feet high

and at least 100 feet in diameter, being round. The illumination is a mark also of honor, though one may be had by any party who bespeaks it and pays for it. The great curiosity to me was to see how the process of salt making was carried on. The whole work nearly is done by water. The salt in the mine is found in the seams or sheets mixed with a black stone which is soft. A small chamber is first dug out, say, ten feet square. Into this chamber a pipe is laid at the top conducting fresh water into it, and at the bottom is another pipe to let off the water or brine after it is mixed with salt. The chamber being filled with fresh water, the salt dissolves and the other matter is precipitated to the bottom. As soon as the water is sufficiently salty (as the barometer will tell) it is let off, and runs for miles to Ischl, or Ebensee, etc., where it is conducted into salt pans and the water evaporated, leaving the salt, now precipitated, in a beautiful condition.

In the evening returning to Haldstadt, I took dinner and then a fine large boat with a flag flying at each end, which my host had ordered as another token of respect for my rank. For all these little honors, however, one is expected to pay. No one has any charge to make, but it is evidently expected; the amount, of course, is left to one's self entirely, but custom has regulated it, and it is not expensive. I found that $5.00 was considered liberal for the whole. My ship carried me to Gosau Mill where I took carriage and drove back again to Ischl.

July 6. Left Ischl at three o'clock for Linz, via Gmunden and Lambach. Reached Linz at 10 o'clock P.M. and slept there.

July 7. Took steamer at 7 A.M. down the Danube

and reached Vienna at four. Charles met me at the Arch Duke Charles Hotel. All well and nothing new.

TRIP TO RICHENAU, MARIA ZELL, &c.

Sept. 3d, 1861. Left Vienna at 8.30 A.M. for a short trip to Richenau, Iron works, and Maria Zell.

Arrived at Richenau at 1 o'clock P.M.; decidedly rural. It lies in the valley where the R. R. crosses. It wants water, but the mountain scenery abounds, and is wild. Hotel very full; only admitted on account of my rank, and what perhaps is still stronger, though not alleged—I am recommended by the proprietor of the Arch Duke Charles Hotel; a friend whom it would be very poor policy to offend.

The Kaiser Villa, the summer retreat of the children, is a neat, new, square building, with nothing remarkable about it to distinguish it from other country-seats; the grounds are enclosed and neatly laid out. The tout ensemble looks more like the Railroad Depot at Baden than anything else I can think of. The Bath House is near the Villa. It is a plain affair but clean, and the water is fine; I took a very refreshing bath every day; cost 50 Kreutzers.

Sept. 4th. Rose at 6 A.M., and breakfasting at 7, took a carriage and drove through the hills for 3 hours, the weather being very pleasant. Visited a Furnace, a Forge, and a Rolling Mill; also looked at the Iron Ore. It is rock and Hematite mixed.

I also drove up the narrow valley along the stream, which is both stony and beautiful, to Kaiser Brunnen, a beautiful Spring chiefly remarkable for its strength, as a Stream as large as the Tulpehocken flows out of a hole in

the base of a rock. No doubt made by the rod of some primitive Moses in times beyond the memory of man.

Sept. 5th. Climbed the Hills for an hour, starting at 6 A.M. Took coffee at 7, and rode out for three hours, looking at Ragerbach, Glocratz, and the imperial paper manufactory. Sent my servant to Vienna for the mail, who returned in the evening with the Reading papers and a long letter from Richmond—a letter which gave me great pleasure more for the boldness of its thoughts and independence of its sentiments and its pungent and fluent style than from the news it contained.

Sept. 6. Rode out for three hours; wrote down my reflections on the political questions agitating my own country in its foreign and domestic policy; read the London Times, James' Statesmen—Granville and Maurice of Saxony, having finished the day before his Leo X., Cardinal Amboise, Ximenes. They are good, but too much filled with historical details, which is the province of history, and not of biography. In the latter we look for general facts, such as the peculiar, distinctive traits of character of the subject, and then look for the philosophic relation between cause and effect, the points which lead to success and those which lead to defeat. These are the only valuable lessons which biography teaches. Still, the whole is rather more palatable than Brougham's lives of eminent Statesmen who flourished in the times of George III., which are filled with maudlin sycophantry which so plainly speaks a desire to court the good will of their descendants—the Frenchman being the only one who seems to be fairly and unsparingly dealt with. He who was of the Mountain or of the Girondists, by turns, whichever were safest or paid best, he is

properly treated by Brougham; perhaps he has no descendants.

Sept. 7. Left at 8 A.M. At 8.30 took express train for Pazerbach to Muizzuschay, immediately on the other side of the Semmering. It is at the foot of the mountain, south, as Glezznetz is north. To these points the railroad was first finished, the tunnelling being the last. At Muizzuschay took a post carriage for myself and servant (Johann), and drove through a most beautiful valley surrounded by fine scenery for seven hours to Maria Zell. To-morrow, Sunday, being the anniversary of the birthday or Marien Fest, of the Virgin Mary, the patroness par excellence of the little town, the road was crowded with faithful pilgrims travelling on foot in procession and otherwise, singing and praying, laughing and talking and smoking all the time. The road was also lined with pilgrims of another sort who were well dressed and rode in carriages, who were also wending their way to the chosen temple of the patroness Saint, possibly more out of motives of curiosity than of piety, and to this latter class I think I belonged. I told my servant that Maria Zell was a town of very limited capacity, and that he had better double the Trinkgelt to my coachman if he would take the lead. He did so, and I secured the best apartments on the first floor of the best hotel overlooking the public square. The church, which stands within this square, and all the ground, is where the people congregate. This speed, however, cost my coachman a horse, for one of them died at 2 o'clock that night. The man thought the rain and heat had done it (for it rained two hours) and that the horse would have died anyhow. To this I assented, of course, for I did not know the

contrary, and I was not anxious to charge my conscience with the death of the poor animal, though I believe the animal is the gainer. So I doubled the Trinkgelt again, which made all right. I was in time to witness several processions. They are all alike: the peasants marching in double file with a banner in front of them, with the figure of the Virgin inwrought; a Priest and Schoolmaster in the middle, and the chorister who leads the music. (These are not from the country.) They have a trumpet and bass drum, the singing is antiphonal, the leader singing one verse or couplet and the women particularly the other, which, as they are pretty well trained, sounded very well in the open air.

Sept. 8, *Sunday.* Took an early walk upon the hills, as the day is pleasant and the scenery is charming. It is just the place calculated by what Buckle calls the aspect of nature, when in an early age the civilized world was shrouded in darkness, to inspire sentiments of awe and superstition. The village is in a vale entirely land-locked. The hill on which the town stands and the various formations around it are suggestive, to an imagination not sobered by intelligence, of the supernatural. The church was burnt in 1827, but the Virgin Mary appeared and saved the image. The modern church is very large, of necessity, as thousands visit it annually. It is scarcely used by the villagers, as it is too large for that purpose and there are chapels in which they worship. It is most richly endowed by pilgrims who have visited it for ages, among whom are numbered Emperors, Kings, and Princes. The processions coming from a distance are the largest, as they increase as they advance. Those that come from

the near-by places are the smallest, for the opposite reason. The Image of the Virgin is undoubtedly as old as the year 1150, and the wooden church dates back to the year 1157. The first church was small, the new or stone one was built in 1257. The present one, about 300 years old, crosses the old one, which is still preserved in the centre. The Image is kept in the centre of this old church. A fine spring is also to be found near Alten Heilige Brunnen, with a stone building enclosing it. Some pretty fair mural paintings or frescoes ornament the walls, the Virgin being conspicuous; also one representing the fire of 1827, the apparition of the Virgin being on a hill close by. In the centre, at the end, is the altar, and at each end of this altar is the figure of an angel in a leaning position with a pitcher in its hand, out of which trickles gently the running stream of the fountain into open vases, the whole surmounted with a Latin inscription, of which the following is a translation: "Cleanse yourself in the living water." The pilgrims, after repeating their prayers before the Image of the Virgin, advance to this fountain, wash their hands and faces, and drink, and retire. I saw many hands and faces being washed there, which, judging from their appearance, were strangers to water. The public grounds and highways are covered with shops like those on the Fair Grounds. These are filled with engravings of the Virgin and Child, crucifixes, eatables for the pilgrims, etc. During the church hours they are closed, but before and after service they are opened and thronged with customers. Whatever is bought here is chiefly valuable for the fact that it has been brought from Maria Zell, and is also a proof, as well as a reminiscence, of the pilgrimage of the

holder. I bought half a dozen rosaries and Pater Nosters and also some engravings and silver medals and crucifixes to present to my American Catholic friends, who, having stronger faith, will no doubt appreciate them more highly than I can. I entered the church and took a good view of it. It is gorgeously adorned and brilliantly lighted. The sunlight is admitted through stained-glass windows so as to produce a fine effect, and the whole is well calculated to excite admiration and awe, even in the mind of the most intelligent beholder; and if he be a little tinctured with superstition (and few minds are entirely free), his admiration is easily transmuted into adoration and worship.

High Mass begins at 9 A.M. and by 12 M. it is all over; the shops re-open and the processions begin to re-form; those having far to go start early, the others later, until by sunset all is quiet again. A town procession opens the ceremonies on the evening before and closes it at Vespers on the day celebrated. This procession carries a full-dressed image of the Virgin as large as life, with the Child in her arms; two priests in full canonicals preceded by a bass drum and two trumpeters in uniform, who were playing their instruments alternately with the singing. The Virgin is carried on a platform, borne by four girls. The shops around the public square belong to the church and are rented out as stalls.

At night a candle is placed in the hand of each, and the procession moves around the church, passing around the altar on their knees. The excitement was equal to that of a camp meeting, of which it reminded me much, after not having seen one at night for thirty years.

Sept. 9. Charming morning. The pilgrims remaining over night were in motion early in the morning, and the processions left in succession, singing their lauds, after which the town became very quiet. This system of pilgrimage prevails all over the country for hundreds of miles, and processions are coming and going, with little intermission, during the whole summer. Every pilgrim, unless sick, must perform the journey on foot, and there are persons in my hotel in easy circumstances who came here from Pest, eight days on foot coming, and eight days to return. The whole system is well calculated to nourish religious enthusiasm. The utmost latitude is allowed in singing and praying at the top of the voice, and perfect vent is given to excitement. I saw men and women prostrate themselves on the floor of the church, kiss the flag-stone, and weep with an ecstacy that would have rejoiced the heart of any presiding elder at a Western camp meeting, or the chief of a Shaker Conventicle. Mankind are the same the world over, and the Catholic Church has shown great worldly wisdom in preserving the unity of the Church by opening one door to learned ambition in founding orders, and another door to ignorance and superstition in ceremonies and symbols addressed to the senses, and a ritual devotion giving scope to the fullest expression of animal excitement; and so long as men are so varied in their positions in society, perhaps it is well. It preserves, at least, unity of the faith in essentials. The complaint can only be made in their believing too much; but better too much than too little.

Took an hour's walk. Scenery charming. Wrote a letter to Richmond, and visited the Schatz-Kammer,

which is the Treasure House of the Church. There is nothing very striking to one who has seen the Schatz-Kammer at Vienna; mats, costumes, and vast collections of gold and silver ornaments, with precious stones. The wooden image is of course the great curiosity. It is of undoubted age; it is limewood, and painted black. The altar around it is covered with silver, and the door of the little inner chapel is also of silver, enclosed in stone of the remains of the old Church, which was built in 1257.

Sept. 10. Another pleasant morning. Left Maria Zell at 7.30 A.M. and drove through one of the loveliest valleys I have ever seen. The scenery without being grand is surpassingly picturesque. Arrived at Turnetz at 3 o'clock, half way to St. Pohten. A pleasant little village with a good comfortable inn, where I shall remain over night. The scenery here is still very beautiful, and continues so, I am told, all the way to St. Pohten.

Sept. 11. Left Turnetz at 8, and travelling through a lovely country all the way, arrived at St. Pohten at 12, where I have taken rooms for a day or two, to look at the country around.

Sept. 12. Sent my servant, Johann, to Vienna for mail, and walked around the town, which I enjoyed very much, and found very pleasant. The walk is laid out for miles along the stream which flows beautifully through the town. My servant returned with files of the London Times, New York papers, a letter from Richmond and one from Mr. Motley, my successor, and also a telegraphic despatch from Mr. Miller, the Despatch Agent in London, announcing Charles' safe arrival off Cape Race. This news all being good made

me feel very comfortable, but kept me awake until one o'clock. I read myself finally to sleep in bed with James' Life of Richelieu.

Sept. 13. Rainy day. Shall keep pretty close to the house—reading up. To-morrow morning will return to Vienna.

Sept. 14. Day charming. Leave for Vienna at 10.30 by express train, and expect to reach there at 12. Arrived in Vienna and at the Arch Duke Charles Hotel safe and in good health at 12.30.

SIGHT-SEEING IN VIENNA

Sept. 18, 1861. Visited shawl, silk, and porcelain manufactories and examined the process of making each; the weaving of silk vestings and scarfs, etc., which was entirely new to me, particularly the mode of cutting, so as to present a surface like velvet; the patterns and mode of manufacturing cashmere shawls, ranging in price from $100 to $500. All the patterns, like the porcelain ware patterns, are first painted by hand; the painting is first traced on paper and from that copied. The Imperial Porcelain Manufactory procures its best clay from Passau, Bavaria, being a fine, white feldspar. The Bohemian is thought by some to be superior—indeed, the best porcelain clay in Europe. I bought a service of the latter of the best quality, and added two dozen plates of the best quality of the Passau feldspar of the Imperial manufacture. One dozen is plain with my initial letter "J" alone, the other is ornamented in addition to the initial with a landscape painting of a different kind for each plate. It is interesting because I selected the plate, or clay rather,

and also the scenes in Austria, with which my family and myself are familiar. The dinner coffee-pot and cups are Turkish, and are only novel because of the fact that they *are* Turkish, and the Turks introduced coffee.

I selected out of the factory, myself, three Cashmere Shawls for my wife and daughters, and bought them thus one-fourth cheaper than in Vienna or Paris, and one-half less than in the United States. I afterwards concluded not to take them, as my wife informed me that they were well supplied, and did not need them.

While Mr. Jones was residing as the American Minister in Vienna, Mr. Lincoln was elected and inaugurated President, and the Civil War had advanced as far as the dangers which threatened Washington after the defeat of the Northern army at the first battle of Bull Run, and the precipitate and disastrous retreat which followed. Mr. Lincoln appointed Mr. Anson Burlingame as Mr. Jones' successor, and he came as far as Paris, but the Austrian Government refused to receive him. This created some delay, and Mr. Seward, who had become Secretary of State in Mr. Lincoln's Cabinet, wrote to Mr. Jones, under date of August 12, 1861, "that he hoped it would suit his convenience to await the arrival of the new Minister." Mr. Jones, owing to the critical state of affairs at home, acceded to this request and remained in charge of the Legation until October, when he was relieved by the distinguished historian, Mr. J. Lothrop Motley.

On the 24th of August, 1861, Mr. Seward wrote to Mr. Motley: "Should Mr. Jones be still remaining at Vienna when this communication arrives, you will express to him the entire satisfaction with which his conduct of the Legation, since it has fallen under the review of the present administration, is regarded by the Government of the United States." And again, on the 28th of September, 1861, Mr. Seward wrote to Mr. Motley as follows: "Mr. Jones' despatch No. 25, dated September 2nd, has been received. His proceedings as related in this paper are approved, and I cannot deny myself the pleasure of authorizing you to assure him that his fidelity and loyalty in his mission have won for him the respect and confidence of the Government." On November 5, 1861, Mr. Jones wrote to Mr. Seward: "Mr. Motley, my successor, arrived on the evening of the 3rd of October. I shall transfer to Mr. Motley, as soon as he is prepared to receive them, the archives of the Legation, and shall immediately after my audience take my departure for America, my intention now being to sail in the steamer 'Arago' on the 10th of December, from Havre."

Having been relieved from the responsible duties of his official position, Mr. Jones was received in audience by the Emperor and presented his letter of recall, immediately after which he started on his journey to his home in Pennsylvania.

The following notes taken from Mr. Jones' diary give an account of this journey:

FROM VIENNA, HOME

Nov. 21, 1861. *Thursday.* Left at four o'clock per express train. 64 Silver Florins to Paris. Ticket good for thirty days, privilege to stop. Travelled all night and saw nothing worth noting.

Nov. 22. Reached Heidelberg in the evening. Went to Theatre, and saw the "Barber of Seville" played or sung, a little of both and not much to speak of of either. Went to bed and read myself to sleep on Dickens' Great Expectations and dreamed all night of Pip and Orlick.

Nov. 23. Visited the Castle, Wolfsbrunn, and the University. Called on Mrs. Styles, who being ill sent me a note of apology. Saw her daughter, Miss Campbell.

The Castle is a fine old ruin, but without many historical points worthy of being remembered. The English wing, built for Elizabeth, only daughter of James the 1st, and the ancestress of the House of Hanover, is interesting.

Nov. 24, *Sunday.* Took another look at the University, the Library, St. Peter's Church, where Jerome of Prague preached, the old Roman Fortress, the old Castle on the hill called "Molkencur." Heidelberg is *Goats' Hill.* Königs Stuhl surmounts the hill. Visited Klinsenthen where Richmond boarded, and also the Haupt Strasse. The weather is charming. Leave at one o'clock for Strasburg and Paris, travelling all night.

Nov. 25, *Monday.* Arrived at Paris at 6 A.M. and stopped at the Hotel Meurice; being tired, I slept until 12 M., and did not go out for the day.

Nov. 26, 27, 28, 29, 30, *Dec.* 1. Spent these days in making visits and seeing Paris. Dined with Mr. Day-

ton on Saturday, at three o'clock. Mr. Buchanan, Mr. Jones, Mr. Pecare Bradford, Mr. Beck, Dr. Belt, and Mr. Bigelow composed the party. I also took a turn through the Louvre, the Gardens, the Palais Royal, etc., etc.

The capture of the Southern Commissioners makes intense excitement, and War seems to be inevitable with England.

Dec. 2, 3, 4, 5, 6. Visited Jardin des Plantes, Luxemburg. Dined with Mr. Bradford; visited Mr. Stewart (son of the Commodore). Visited Mr. Albert of Baltimore, Mr. Amgel, etc., etc.

Dec. 7. Visited Versailles and was much pleased.

Dec. 8. Went to London via Amiens and Boulogne and arrived at Fenton's Hotel at 10 o'clock P.M.

Dec. 9. Got letters from Charles, Richmond, and Flinn. Visited Mr. Adams, American Minister, Mr. Yancey and Mr. Mann, Baring Brothers & Co., Zoological Gardens, and Madam Tussaud's Wax Works, and the Haymarket Theatre; the play was "Our American Cousin." Saw Regent's Park, Hyde Park, Green Park, St. James' Park, Buckingham Palace, Apsley House and Monument, Pall Mall, St. James' Palace, Newgate, the Old Bailey Prison, St. Paul's Cathedral, London Bridge, St. Sepulchre Church, Bank of England, Lord Mayor's Mansion, Post Office, Coliseum, and White Hall (Treasury).

Dec. 10. Visited Westminster Abbey, Poets' Corner, House of Lords and House of Commons, Bow Church and Bells, Guild Hall, Gog and Magog, Lincoln's Inn Fields, East India House, Docks of London, and St. Catharine, Thames Tunnel, Charing Cross, Nelson's Monument, William the Fourth, Peals's Duke

of York, London Bridge, Westminster Bridge, Drury Lane Theatre, Crystal Palace, the Tower, British Museum, and Royal Exchange.

Dec. 11. Left London at 8 o'clock for Southampton and Cowes; waited at Cowes until next morning for the steamer "Arago."

Dec. 12. Went on board the "Arago" at 4 A.M.; found General Scott on board.

Dec. 13, 14, 15, 16, 17, *Tuesday.* Nothing occurred worth noting; weather fine for the season.

Dec. 18. Weather charming—like May. Middle of the Atlantic to-day.

Dec. 19. Average run up to this time 9½ knots per hour, and no passage thus far could be pleasanter. Not an event has happened since we started worthy of note, and we have seen but one vessel.

Dec. 20, 21, *Friday and Saturday.* Weather continues fine. To-day we expect to make Cape Race, wind and weather permitting, at three o'clock. Saw one of the Capes of New Foundland at five o'clock P.M. Saw the Lighthouse of Cape Race. A boat came off, received our despatches, and gave us a New York Herald of the 14th of December. Disappointed in finding nothing new or decisive either with England or on the Potomac.

Dec. 22, *Sunday.* Stormy. Snow and ice and windy and cold.

Dec. 23. Off Sable Island. Wind and weather fair. Sea smooth.

Dec. 24. Very windy and rough, ending in a perfect gale, which blew all night.

Dec. 25. Gale continues. Weather and sea rough. Cold and very disagreeable. Christmas Day. Captain

gave his usual dinner. He was toasted. I was called out and after a few remarks of a very general character I complimented and toasted General Scott, who replied. I also closed with a toast to Captain Lines.

Dec. 26, *Thursday.* Weather charming. Sea calm. Took Pilot on board at 11 o'clock A.M. Saw Long Island. News up to 23d considered rather favorable. We expect to reach New York this evening and close the voyage.

Reached the dock at 6 o'clock P.M. and the New York Hotel at 7. Met Richmond.

Dec. 27. Visited Miss Lane at Judge Roosevelt's. Saw Dr. Gwinn's family and had several calls.

Dec. 28. Rested.

Dec. 29, *Sunday.* Rested.

Dec. 30, *Monday.* Left at 5.30 A.M. for Reading via E. P. R. R. and reached Reading at 11 A.M.

CHAPTER XXVII.

Mr. Jones' reception by the citizens of Reading—Speech of the mayor—Mr. Jones' reply—Mr. Jones returns to the practice of his profession—March of the farmers of Heidelberg Township to Reading—The "Knights of the Golden Circle"—A mob at the Reading Railroad shops—The leader shot dead—Mr. Jones acts as attorney for the defendant—His acquittal—Mr. Jones' speech upon the preservation of the Union.

THE following report of the reception given to Mr. Jones in Reading upon his arrival there is taken from a local newspaper:

RETURN OF THE HON. J. GLANCY JONES

A CORDIAL RECEPTION BY THE CITIZENS

The Hon. J. Glancy Jones returned home on Monday last, after an absence of three years in the diplomatic service of his country at the Court of Austria. He was met at Allentown by a Committee of twelve citizens appointed at a meeting held at Hawman's U. S. Hotel on Saturday evening, consisting of Messrs. Michael K. Boyer, Charles Kessler, Philip K. Miller, Edward M. Clymer, James B. Bechtel, Heister Clymer, Wharton Morris, C. B. McKnight, David A. Stout, David E. Stout, David Fister, and Amos B. Wanner, who accompanied him to Reading, where, on the arrival of the train, he was received by the Mayor of the city, a Reception Committee of fifteen, to wit: James McCarty, Jacob K. McKenty, Jacob Knabb, William M. Baird, Tobias Barto, George K. Levan, David McKnight, Frederick Lauer,

Charles H. Hunter, S. E. Ancona, John S. Richards, Henry Nagle, H. D. Torrey, G. A. Nicolls, and Jeremiah Hagenman; and a large concourse of citizens, who welcomed him with loud and hearty cheers. Mr. Jones then entered a carriage, that was in waiting for him with the Mayor and several members of the Committee, and, preceded by the Ringgold Band and a procession of citizens under the Marshalship of Gen. Tobias Barto, was escorted to the Keystone Hall, where the ceremony of formal reception was to take place. The Hall was crowded; and as Mr. Jones and his escort entered, the Band played the "Star Spangled Banner," after which Mayor Wanner made an address of welcome, in the following words:

MAYOR WANNER'S ADDRESS

Mr. Jones.—Honored Sir: I have been designated by the citizens of Reading, without distinction of party, to extend to you a friendly welcome back to your native country, your native county, your home and to the cordial intercourse with your friends and fellow citizens, of which you have been necessarily deprived for some time, owing to the duties enjoined upon you by the Government, which were to represent our nation in a foreign country, as minister of the United States.

Your position as a public man does not date from your appointment to a Foreign Court. You have been for many years an able and efficient member of Congress from your native county. You have discharged your duties as such, in an able, an honest and statesman-like manner, and meeting the full approbation of

your constituents. Our Government, being fully conscious of the services you rendered while serving in the capacity of a member of Congress, deemed it proper to confer upon you one of the highest honors in the gift of the Chief Magistrate of the nation. The endorsement of all your public acts as Minister to a Foreign Court by the retired Administration, and the retention of your position under the present, shows that your course as Minister has been and is fully approved of, and as regards the opinion of your fellow citizens with us, I have no language to express a higher commentary than to point you to the vast multitude assembled here to receive you to your home.

Since you left us for a foreign land great events have transpired. You left your country in a comparative state of prosperity, and at such a time when the cords of unison swelled the bosom of every freeman, both North and South. You return to a country convulsed from the centre to the circumference with civil war,—a rebellion, the magnitude of which is unprecedented in the annals of history. So far as regards us, we are of one opinion, and that is "The Union must and shall be preserved." To illustrate this more forcibly to you, let me tell you that more than 2000 of our fellow citizens are now in arms and in the service of the United States from your native county of old Berks, and nearly all sons of Old Berks.

I do not wish to prolong my remarks, and therefore in conclusion permit me to say, in behalf of the citizens of Reading, that we are all glad to see you back again in our midst. Although it may seem strange to you residing in a country, and city particularly, which has been said to form the link between

Eastern magnificent extravagance and the highest modern civilization of Europe. You will no longer have the *Praterstrasse*, the *Glacis* and Imperial Gardens to walk upon, but you may have our broad Penn Street, the sunny side in winter and the shady side in summer, to walk upon, and instead of the Vienna Forests, you may view our beautiful mountains around the city, snow-capt during the winter and covered with a dense and verdant foliage during the summer. And as regards to now and then seeing a sovereign of the one man power on the Prater, you may see sovereigns by the thousands at home every day.

Let me then, in behalf of the citizens of Reading, irrespective of party, extend to you the hand of friendship, (here the Mayor took the hand of Mr. Jones) asking the benign blessings of an over-ruling Providence upon you, and hoping that your future usefulness to your country may fully justify our present appreciation of the services you have already rendered your country.

The Mayor was frequently applauded during the delivery of this brief, but eloquent address.

Mr. Jones, on rising to reply, was greeted with cheers. When quiet was restored, he spoke as follows:

MR. JONES' REPLY

Mr. Mayor and Gentlemen: I tender you my sincere acknowledgments for the honor you have done me in the name of the citizens of Reading, in giving me a cordial reception, without distinction of party, on my return to my native home and the home of my ancestors for four generations. An absence of three

years, instead of weakening my attachment and interest in its welfare, has only strengthened the cords of affection which bind me to it now and forever, and if it were possible to add to those bonds of affection, they are made still stronger by the calamities which have befallen our common country. Born and reared in Pennsylvania, and called by your voice and the voice of my country from time to time to spend a large portion of my life in the public service at home and abroad, I have always regarded my interests, as identified with the interests, hopes and prosperity of Pennsylvania. To her I owe allegiance and my services; her lot is my lot; and on her soil and in her service I am willing to live and to die. But the allegiance which I owe to the State of Pennsylvania, never comes in conflict with the allegiance which I owe to the Union, the Constitution, and our national flag.

Each allegiance is distinct and complete within its sphere; they are incapable of coming in collision; they are parts of a common whole and perfectly indivisible and symmetrical. The mode and manner of your reception admonishes me, that you do not expect a speech on questions of a political character; indeed political speeches, in my opinion, are always out of place in diplomats at home or abroad. On leaving the shores of my native land, I took leave of all political questions of a domestic character, and devoted myself to the common service of my whole country; knowing no one, except by his claims to the rights and immunities of an American citizen. How far I may have been able to serve my country in foreign lands, it is not for me to say; I can only say, that

to the best of my ability I have tried to preserve its integrity, its nationality, and its character, in the high position it has ever heretofore occupied in the family of nations. It is perfectly consistent, however, that I should say, in adhering to this rule of action, that during my entire absence, and after mature reflection, I have had no occasion to change a single opinion which I have hitherto entertained and publicly expressed on the domestic policy of the country. I left the country a national conservative Democrat, and as a national conservative Democrat I return; unchanged in anything except to be more thoroughly confirmed in my former convictions.

But, gentlemen, there are questions of the first magnitude, which are neither foreign or domestic. The preservation of our Union is not a question to be so limited. It is one of political existence,—without it, we cease to live in the family of nations; it is the corner-stone of the whole fabric, wanting which, the superstructure will disappear like the baseless fabric of a vision; while, resting firmly on this basis, it rises in symmetrical proportions to a height of moral grandeur, which not only secures to us at home all the blessings of security and freedom, but challenges the respect and commendation of admiring millions in the remotest corners of the civilized world.

Dissolution, separation or secession are all synonymous with disintegration, which, when once fairly begun, leads inevitably by the gravitating force of its own power to extinction, to political annihilation. "To be or not to be, that is the question," and on this point, gentlemen, that is the only question. When once the process of dissolution shall have done its

work, we will have no future—our country will only be known by what it was; and, as the hand of Omnipotence alone is equal to the creation, out of chaos, of worlds, material or social, we can only turn our eyes, in this forlorn hope, when all human efforts have failed, to that beneficent power, with the earnest prayer, that He may restore to order and uniformity the crumbled atoms of this once splendid structure. Unity is not exclusively an American idea, as some seem to think; it is the living symbol of progressive civilization in the family of man, and marks the footsteps of every stage of advancement. It has in process of time obliterated the patriarchal and tribal distinctions of early history, and moulded them into consolidated empires, whose colossal greatness has overshadowed the earth. A single sceptre now sways the destinies, respectively, of England and France, where but a few hundred years ago, forty devoured the people with their internecine feuds. It is the ligament which holds together the incongruous elements of so many distinct nationalities composing the Austrian Empire. It is now the inspiring hope, the only hope, of Italy, the cradle of civilization, after ten centuries of internecine strife.

Government is an evil in itself, under any form. If men would be perfectly just to each other, no government would be tolerated—none would be needed. It is because mankind have not reached that high state of progress, that Government becomes a necessary evil, in order to save us from anarchy, that greatest of all social evils; where the floodgates are thrown open, all the baser passions of our nature let loose, that man may prey upon his species.

Union was born with our independence and will

only die with our independence. It is the pervading idea of our system; it is the life-blood of our status in the family of nations. In union, we are all powerful at home and abroad; without it, we become the mockery and scorn of the earth. We libel the human race, and teach the world that mankind is a failure, that development, progress, and capacity for self government, are but fitful dreams and idle fancies. These have always been my opinions, confirmed by experience and observation; unchanged by time; they lie at the basis of all the political opinions I have; when I surrender this I will surrender all. If this Union should be dissolved, I see no hope for the future, neither for the North, the South, the East, or the West. In the name of American freedom and American institutions; in the name of humanity and civilization, the Union must be preserved, at all hazards and to the last extremity.

Fellow citizens, after a somewhat lengthy term of public service, I return to private life among you with emotions of pleasure. I shall ever entertain a lively recollection of the kindness you have shown me today. I beg once more to thank you for your cordial reception.

At the conclusion of this address, which was very eloquently delivered, and warmly applauded, the crowd dispersed, and Mr. Jones was escorted by the Band and the Committee before named, to his residence in North Fifth Street. We understand that he goes to Washington on Monday, to close the business of his mission with the State Department. Mr. Jones' health has been much improved by his three years' residence abroad.

After his retirement from public life Mr. Jones returned to the practice of his profession, but did not lose his interest in public affairs. On the contrary, he kept up a lively interest in them. He was personally acquainted with nearly all the leading men of the country, and those who did not know him personally knew him by reputation. He carried on an extensive correspondence with those men upon the leading issues of the day.

Shortly after his return to Reading, a citizen of Heidelberg Township was arrested by a deputy United States marshal, because it was alleged he belonged to an altogether harmless if not mythical association known as the "Knights of the Golden Circle," whose sentiments were supposed to be unfriendly to the administration. The news of this arrest spread rapidly throughout the township, and the indignant farmers assembled, armed themselves with fowling-pieces, pitch forks, and clubs, and marched to Reading for the purpose of ascertaining the meaning of this extraordinary proceeding. Mr. Jones addressed them from the Court House steps, promised to look after the prisoner, and persuaded them to return peaceably to their homes. He afterwards defended the prisoner at the hearing in Philadelphia, and secured his release.

Upon another occasion a mechanic in one of the machine shops of the Reading Railroad had made some foolish remark about Jefferson Davis which his fellow workmen considered disloyal.

An infuriated mob approached him next day, armed with bars of iron they had picked up in the shop, and supposing from their threatening attitude that his life was in danger, he shot the leader dead. The killing of the leader of this mob was followed by feverish excitement throughout the town. After the man who fired the shot had been arrested, he appealed to Mr. Jones to defend him, and Mr. Jones consented to do so. The man was afterwards tried and acquitted; but the event had created so much feeling, and the minds of the people were in such an excitable condition, that it was deemed prudent for him to leave the town.

The excitement which followed the early events of the Civil War and the intense feeling it produced made it an easy matter in those days to improvise a mob. There was little or no rational sanction for what some of the people said or did. A man's loyalty was liable to be called into question upon the most insufficient pretext. The patriotism of the people assumed a most dogmatic and intolerant attitude toward every one who was not willing to follow them into extremes. If this intense public feeling was not always active, it was smouldering, and was liable to break out into violence at any time upon the slightest provocation. All Democrats were objects of more or less distrust by their political adversaries, not because of anything they did after Mr. Lincoln's election, but because they had opposed his elec-

tion, because they did not share with the Republicans their hatred of the people of the South, and because in the late Presidential election they had manfully stood up for the constitutional rights of the Southern States. There undoubtedly was among Democrats a feeling that the war had been unnecessarily brought on by the unlawful and unjust intermeddling of the Republican party with the domestic institutions of the South, and this feeling was not suppressed by the unwise action of the Southern States in withdrawing from the Union. In a measure the Democrats held the Republican party responsible for the war. Though they did not support or excuse the South in its armed hostility to the Union, they did not exonerate the Republican party from blame. They did not fraternize with them—far from it. They freely criticised and often antagonized their measures. They had no part in the noisy extremes into which their factitious loyalty led them. There was no such division of sentiment as this in the South. There was no occasion for it. There was but one common resentment there against the unlawful encroachment of the North upon their rights, while in the North there was an honest difference of opinion as to its justification.

Moreover, many of the most learned Democrats of the North, among them judges upon its highest judicial tribunals, believed in the right of secession. They honestly believed that when one

party to the compact had broken it, the other party had the right to treat it as destroyed. It had been taught by Rawle (who was not a Democrat), one of the earliest and ablest commentators upon the Constitution, and his treatise had been for many years the text-book at the Military Academy at West Point. For this attitude Democrats were called "copper-heads," and "disloyal," by their bumptious, hot-headed political adversaries.

In some instances the administration went so far as to imprison leading Democrats for what it called their disloyal sentiments, but these extreme measures invariably failed to have the desired effect, for, being endowed with the resilient qualities of true freemen, a great party could not be held down by the heel of oppression. But notwithstanding this, the Democrats of the North, with few exceptions, loyally stood by their States and supported the war for the preservation of the Union. The ranks of the Northern army were filled with Democrats, and distinguished Democratic generals were in the highest command.

Mr. Jones was frequently called from his retirement to address his fellow citizens upon questions of public interest as they arose, and we have selected three of his public utterances for preservation here, upon the very important questions of the preservation of the Union, negro suffrage, and honest government.

In July, 1862, a town meeting was called at the

Court House in Reading to ratify the action of the County Commissioners in appropriating $30,000 for bounties to be paid for enlistment in the army. Mr. Jones, having been invited to address the meeting, spoke in substance as follows:

This is a business meeting, and not a time for speech-making. The country is in a crisis, a fearful crisis; and every man who loves his country feels it. Our nationality is at stake. The question is not whether there shall be a Southern Confederacy or not; but whether we shall have any country at all. A Southern Confederacy in the event of dissolution may be possible, for a time, but a Northern Confederacy is an impossibility; anarchy or despotism; one or both, must be our fate, when we abandon our nationality. On these points I believe we are all of one mind and one heart, and no persuasion is necessary to men who are of one mind. Nationality is a sentiment nurtured and cherished in every civilized society. We have been trained to it from childhood—in our primary school books, on our banners, in our Fourth of July orations, in our colleges, in our churches, in our various institutions, in our social circles, and in our assemblages and public meetings, we have assiduously impressed the heart of the rising generation with the love of country. The deeds, the privations, and sufferings undergone by our forefathers in purchasing the great boon of our liberty and independence have ever been cherished in our hearts and sustained with unflinching fidelity in our actions. The man who has no love of country, has no heart and should die childless. It is because of our common danger that we are so united

in sentiment. From the day that the sword was unsheathed and the flag of our common country was assailed at Fort Sumter, every man who had a spark of patriotism in his heart wheeled into line. Men differed before, men differ now, men will always differ in their opinions on questions of expediency and of principle; but on the great question of patriotism the love of country and the willingness to preserve it at any cost, honest men do not differ, none except the vilest of traitors falter here, and they are always despised anywhere. In the present stage of civilization no nation can exist which has lost its physical and moral prestige; to abandon one's country, or to admit of its dismemberment, which is the same thing, brands that country with cowardice, and no country can live in the family of nations under such a load of infamy.

The dismemberment of our country is death to us. Unless we first convince the world that we have exhausted all our resources of men and money, all our materials of war—have vindicated our honor with our blood, and yield only to stern fate and physical forces that which we never would yield to argument or persuasion, we will stand before the civilized world branded as cowards and traitors. Certainly we have not reached that point yet, our resources are not exhausted. If we had begun with the army we have ended with, we would have ended the war where we began. War is no sport, it cannot be carried on with a gloved hand. Civil war is deplored by all the humane, but its miseries are increased a hundred fold by being protracted. A prolonged civil war must always end in mutual exhaustion if not in mutual destruction.

We have then but these alternatives—either to restore the Union and maintain the Constitution throughout every inch of our Territory in all its integrity—or, to convince the world that we have saved our honor, by having offered upon the altar of our country our lives and our property until we are perfectly exhausted—or, to skulk from the field with craven spirits and coward hearts, a perjured race, monuments of shame, the degenerate sons of noble sires, who to save their carcasses and hoarded gains have abandoned liberty, civilization, honor, and patriotism. For my part I will make any sacrifice in my power to restore our Union, our Constitution and the laws. I will never assent to the dismemberment of this country. I will never forgive the man, or set of men, who advocate it, or agree to it, until, at least, the world is assured that no human power can save us; then on that dread event I will cease to think of a country left for me, I shall consider myself without a country. There is no possibility of the North, or a portion of this country, holding together separately from the rest. Once dissolved, we go to fragments. Military despotism may for a while lead us, but only lead us to destruction. Liberty, a progressive civilization, and the capacity of man for self government, will become exploded, obsolete ideas.

Whatever may have been the opinion of any one heretofore, he must now be convinced that we are now on the defensive—fighting for our country. The South regard us as invaders of their soil. The seat of war with all its horrible devastations is on Southern soil. If they get power they will in turn retaliate and invade us; we cannot expect anything else. Our line

of defence, then, is where our brethren are in arms. We have chosen our ground, whether properly or not, it matters not now. If we do not defend ourselves where we are, we may not be able to defend ourselves at our own firesides. The Government has called for troops; the army is too weak. We have all committed ourselves to this war for the preservation of the Constitution and the Union. No matter what may have been our difference of opinion, as to the origin, or conduct of the war, we are here to-night a united band for our country—our whole country—and nothing but our country. Six hundred men are wanted from Berks. We must furnish them. If more are wanted and cease to volunteer, we must draft, and if that falls short we must call out the whole militia. We must save our country, if we have power; if power fails us, we must at least save our honor, and show the world that we deserved success.

CHAPTER XXVIII.

Mr. Jones' views upon negro suffrage—A plea for political honesty—The Presidential campaign of 1872—Letters from Horace Greeley—Letter from the Hon. John Cadwalader—Death of Mr. Jones—Resolutions upon his death adopted by the Bar of Berks County.

THE following clear, able, dispassionate, and statesmanlike address upon the danger and against the wisdom of negro suffrage, and its appeal to the white man to avert the danger by uniting against the evil as the South has done where the danger is a vital one, will be read with interest now after an experience of nearly forty years has demonstrated to the satisfaction of most thoughtful men not only that the granting of the suffrage to an inferior race was a mistake but that it has utterly failed to accomplish the purpose for which it was intended.

To J. L. Smith, Esq.,
Chairman of the Kent County
Democratic Central Committee:

Dear Sir: I have the honor to acknowledge the receipt of your letter of the 2d inst., in which, on behalf of the Committee of which you are the organ, I am "earnestly solicited to be present and address a Democratic meeting to be held in Dover, on Tuesday, the 10th inst., &c."

I have delayed my answer to this invitation until to-day, with the view mainly of ascertaining whether a compliance with the invitation would fall within the exception of a general rule which I have prescribed for myself, and adhered to, for the last four or five years, a rule to refrain from addressing political assemblies until after the candidates are nominated and a regular platform of principles announced by the Democratic party, the exception to this rule being an extraordinary occasion, without a supply of public speakers.

Having now learned, to my entire satisfaction, that the meeting to which I am invited will be well furnished with talent and ability, combined with learning and experience of the highest order, in men of well tried faith in this line, I feel at liberty to decline your invitation—a declinature always agreeable to my personal feelings when I can exercise it without shirking duty. However, as several gentlemen have personally expressed a wish to know my views on the issues of the present political crisis, I have concluded to express them as briefly as I can in this letter, which your committee can dispose of as they may deem proper and expedient.

I should prefer to be silent altogether were I to consult my own feelings, but my unshaken faith in the principles and organization of the Democratic party, and my unceasing desire for its success, identified as such success is, in my opinion, with the permanent prosperity and welfare of our common country, leaves me no choice; and I have no concealments when disclosure may be useful to any portion of my fellow-citizens who may do me the credit to believe that my opinions, whether sound or not, are at least the result

of observation, reflection, study and experience. I have at least tried to be right, taking the logical sequences of right, regardless of consequences. Claiming no exemption from the common infirmities of human nature, the sentiments I entertain I alone am responsible for, as I represent at present no constituency, either legal or conventional.

I am inflexibly opposed to any change in the name or organization of the Democratic party. I am equally hostile to any modification of its fundamental principles. Claiming, as they do, to rest upon no higher inspiration than that of human wisdom, controlled and regulated by a pure patriotism under the guiding influences of the Supreme Ruler of nations, these principles were established in the early days of the Republic, and have proved themselves to be comprehensive enough to cover all issues that have arisen or may arise in the fullest administration of our form of government, in both its foreign and domestic policy. So true is this that even hostile organizations, thrust into temporary power by the ambition or folly of the leaders of Democracy, have succeeded in administration only in the ratio of their adherence to these organic principles of the Democratic party.

It is perfectly consistent with these premises, however, that the Democratic party should meet eliminated issues as they arise from time to time—vital pending issues—not ignoring but simply withholding such as are not directly involved in the campaign. The lawyer is most successful with courts and juries who, in the trial of his cause, limits himself in the case in hand to the strong points involved, discarding all irrelevant issues for the time being. Irrelevancy is

one thing, ignoring is another. In the year 1870 the elections must turn on State issues—on national ones only so far as they may be indirectly involved. The election in Delaware, which State has thus far preserved her integrity to principle and to the Union, will turn next fall upon a single issue; all others, if lugged in, will be simply irrelevant, and that issue, in seamen's phrase, "will strain her best timbers."

This issue is not the question of "negro emancipation" nor "negro suffrage." Both of these are disposed of by authority recognized as competent—*de facto* if not *de jure*—by all good citizens. It has long been settled that it is infinitely better in a free country to submit to and obey a law of even doubtful binding authority until modified or changed by competent constitutional power, than for each citizen to be his own judge, bringing law, order and constituted authority into contempt, and thus breaking down the only bulwarks of safety to life and property. The logical sequences of such conduct are anarchy and despotism. The Democratic party obeys the laws of the land proclaimed by official authority, and will obey and submit to them as long as they stand upon the statute book; so that party, which is essentially progressive in its very nature, will, when in power, modify and improve constitutions and laws to meet the advanced ideas of *rational progress;* it repudiates all ideas of political infallibility, but such modifications will only be made by unquestioned constitutional authority in obedience to the voice of the deliberate judgment of a free people.

The single issue involved in the political campaign in the coming election in the State of Delaware, there-

fore, will be *negro political supremacy*—not negro equality. If successful in Delaware and other States in the elections of 1870 and 1871, it will then be tried on a national theatre in 1872.

Wendell Phillips, whose hat covers the brains and inspiration of the Republican party, in his parting address to the negroes on the dissolution of the Anti-Slavery Society, gives utterance to the following potentially significant words. I give the substance. Addressing himself to the negroes, and he called them negroes, he said: "We have now done for you all that we can do, the rest is for yourselves; you are emancipated, enfranchised citizens of the United States, clothed with the fullest political powers; if you succeed or fail it will be your own success or failure, and I have but one word of parting advice to give you—*always act, and vote, not as Republicans, nor as Democrats, but as negroes.*"

These words paraphrased, mean: "You are in a minority; you have no social traditions; you are distinctly marked by color and race; your only safety therefore consists in sticking to your race and color as a distinctive organization, acting for that race alone; let no consideration of American interests, or traditions, or progress, for a moment influence or direct you when they do not promote the sole interests of your social power as a distinct race and color."

Can it be possible that Mr. Phillips had a lurking suspicion that after all that had been said and done, the work would prove a social failure when the grown child was left to stand upon its own legs? Would it be irreverent to suspect that even in this philanthropic bosom, ambition's stealthy tread intruded with the

suggestion that all would be lost unless the distinctive line was stereotyped, and a balance of power perpetually fixed, with a cordon of fire around it,—an *imperium in imperio*. *Socially* incompetent to guide itself, who but he, who had stood godfather, wet-nurse and guardian to this socialistic figment of his prolific brain, would become its fixed, absolute dictator. A balance of political power—enfranchised and organized under a distinctive mark of the hand of Deity—not of human device, therefore perpetual, homogeneous, immortal—first to make itself felt in the States, then in the Union; or, addressing myself to Delawareans, first to elect a Governor, a Congressman, a Legislature for our little State. She is deemed more manageable because small; and also because a Southern and a Border State; a State true to the Union, but still hitherto rather repugnant to negro political equality, and very hostile to negro political supremacy. This negro vote is to be cast solid as an organized negro vote, and then, if successful, it may demand of your legislators such legislation for themselves as a distinct class, as they may want—not as American citizens or citizens of Delaware—but as *negroes;* if refused, then this vote is to be transferred bodily to another party who will obey. If successful in Delaware the whole south will fall into line, and in 1872 a President must owe his election to a *negro balance of power party*, if it has the power, which will, in such an event, dictate the national legislation in its own exclusive interests, reviving the agrarian code, and teaching the world new humanitarian ideas on the re-distribution of property. Remember, it was Wendell Phillips who, on a former occasion, told this

race that they had been pillaged of their lawful rights of property in the produce of their own labor by the white race who had enslaved them; that a day of reckoning would come when this balance of account would have to be settled, and when in power, this race might effectually demand that ample remuneration could only be made by compensation in property in a sum equal to the aggregate value of the fruits of their own lost labor. The curtain is now drawn over this part of the programme for the present; disclosure might be damaging. Connect these words with those other parting words of the same man to the same race; a man who never wastes words, and show me if these parting oracular words of advice—"continue to act and vote as *negroes* and not as *partisans* under any other name, even that of American citizens"—admit of any solution than that of a final settlement of this unadjusted account between them and that other race which is so largely its debtor, through the means of a President elected by this same balance of power party. And who should be the Peter the Hermit of this crusade to effectuate such a code of political philanthropy? Let Mr. Phillips answer. I could only conjecture. Can mortals so pure and philanthropic be ambitious? It is said that angels were.

It is not for me to advise the Democracy of Delaware. I can only suggest in response to many inquiries, let the party nominate a regular Democratic ticket in the usual established mode. No man should be nominated who is not known to be a sound Democrat—whose integrity and fitness are publicly known and admitted outside of the party, and further, whose position in the State, independently of his known political affini-

ties, may make him the least objectionable to others outside of the party, who, while they are not disposed to separate themselves from the National Republican party on its Chicago platform, are ready to vote for Democrats not personally objectionable to them on the single issue of *no balance of power exclusively negro in Delaware*, and thus by their vote rebuke fanatical leaders who would subvert the present organization of the Republican party and subject it to the absolute control and dictation of a negro balance of power party. There are men in the Republican ranks prepared to do this, and still live and die Republicans. They are not partisans and hence ready to rebuke the leaders of their own party when they so far forget themselves as to forget their own race and color in their zeal to serve another, or perhaps to serve themselves.

If the Democratic party takes this ground and fails to elect, they fall with honor and without reproach. We have learned by experience that defeat is far from being the worst evil that might befall us. Our organization and principles, in defeat or success, are all preserved intact.

We have simply put in issue a single principle, ignoring none hitherto held by us; only withheld now on the ground of irrelevancy. On such a platform we can invite all to join us who agree with us on this one principle, they, like ourselves, to be entitled to the honors of success, if successful, and they, like ourselves, if they wish it, recognised still as members of a distinct political organization.

This mode of campaigning is not novel. Our fathers of the colonies did it before and during the revolution; they fought in common against the Indians, the

French and the British, and still preserved intact their respective distinct colonial political existence. So in the religious world, men of distinct creeds meet on a common platform of a Bible, a tract, or a temperance society, yet never dream of merging their distinctive denominational organization. In all ages weaker nations have combined as allies for common defense or common aggrandizement against a powerful foe. We did it with France in the Revolution, for liberty; Russia, Prussia, and Austria combined against Poland for aggrandizement, and divided the spoils. It never occurred to either that such combinations for good or for evil necessarily involved a merger of distinct nationality. So also has the principle of combination of otherwise heterogeneous material been made on a single homogeneous issue, and sanctioned by very high authority in Christian ethics. When Paul was surrounded by the enraged Pharisees and Sadducees, who had combined to take his life for his renegadeism from their favorite faith, he saved his life, his faith and his honor by sinking for the time being all distinctive issues, and raised the one of the resurrection of the dead, which, as a Christian, he held in common with the Pharisees, who were in the majority. Paul saved his life, he remained a Christian and his improvised friends remained Pharisees. Let the metaphysicians and doctors on ethics settle the question as they please, it is recorded on very high authority that David, the man after God's own heart, had no scruples when his life and his kingdom were endangered, (not so much from the mad ambition of a spoiled son as from the crafty counsel of a wicked but able statesman,) to send his own trusted premier to Absalom with

instructions to resort to strategy in order to counteract the vicious and fatal power of Ahitophel's influence over the mind of a morbidly ambitious young man. It is not for me to justify, or at this day to recommend, the repetition of similar strategic movements, but I have a right to commend it to the lips of those who have assumed to themselves a monopoly of the piety, philanthropy and religion of this age, and profess to be familiar with and greatly to admire inspired dogmas, especially when they turn out to be good political investments.

My object in writing this letter is to contribute to the restoration of the Democratic party to power in the nation and to maintain its ascendency in Delaware. I believe both can be done if the issues are judiciously presented. The parting advice of Mr. Phillips has been taken by the Republican party for Delaware. Before any one thought of a White Man's party under that specific name, and when all were at least prepared to *submit* to the laws establishing universal suffrage and political equality as long as they shall remain on the statute book, agents of the colored race, with instructions from headquarters, have traveled the State and organized *colored leagues*. They are organized distinctly as *negroes;* they are to vote as a unit as negroes and thus hold the balance of power; they waive all candidates of their own color, in this election, to save defeat, but victory won they are to have anything they may demand in the way of legislation. This action would justify the organization of a White Man's party on the ground of self-defence, but the Democracy need no such prefix or addenda; no one, not even their worst enemies, will suspect them of a want of fidelity

to at least the *equal* rights of the race that made this country what it is. The traditions of the past and the hopes of the future are safe in their hands without altering their creed, their organization or their name, and all this too without doing injustice or infringing the political rights of any other class of citizens as they are guaranteed to them by the laws of the land. On the stump I should have said in substance what I have now written, and will say it later if I live and it is needed.

Although I have written this letter to you with a view to its being read at the meeting, or printed, if in your judgment you thought it might be useful, yet I equally authorize you to suppress it if you think it expedient to do so, as my object will be attained in satisfying your committee, that while I decline an invitation which I highly appreciate, I at least do the next best thing I can to satisfy them that I have opinions and no concealments whenever my party calls for them.

Very respectfully, your obedient servant,

J. Glancy Jones.

The following strong plea in behalf of political honesty was addressed to the Democrats of Philadelphia, in reply to an invitation to take part in a Democratic banquet in that city:

Reading, 1st Dec., 1874.

Henry G. Gowen, Esq.,
Treasurer, &c., of the Democratic Association of Penn'a.

Dear Sir: I have the honor to acknowledge the receipt of your invitation, on behalf of the Democrats

of Philadelphia, to participate in a Banquet to be given at the Continental Hotel, on the third of Dec. inst; to celebrate the recent victories achieved by the Democracy throughout the Union:

It would give me great pleasure to be present on this occasion, but previous engagements put it beyond my power.

The victories of the autumnal elections of 1874, were a series of avalanches, clear, distinct, and emphatic in their significance. They were not the triumphs of the democracy, strictly speaking; though the democratic party led the van, and reaps the harvest.

The result, though long looked for by the democracy, came at last with a suddenness and a sweep which took them, as well as others by surprise; surprise at its thoroughness. The ruling powers of the republican party are amazed and confounded. Ingenuity is tasked to its utmost tension, to account for this ground swell. A Third Term, The finances, Credit Mobilier, Salary Grabbing, hard times, general apathy, all in turn have been tried, and all in turn have failed. Allegheny County Pa., Massachusetts, with their well known traditions, put an effectual extinguisher on these shallow devices. The masses of our own people comprehended the situation at a glance, and pronounced judgment with an emphasis which silenced all carping and false criticism. This judgment was that it was the uprising of that substratum of honest intelligence lying at the base of our political fabric which indifferent to party ties, when the fundamental principles of the Government are endangered, sweeps and always will sweep from power corrupt administration and political wickedness in high places. The

grand error of the ruling element of the Republican party was, that it mistook the people, not for the first time, however. They had denounced the Democratic party so often as disloyal, treasonable, and reactionary in its designs, that they not only almost came to believe it to be true themselves, but really thought that the people would tolerate any amount of corruption and maladministration, rather than restore the Democracy to power. They were mistaken, and that they were mistaken, this day, makes glad the heart of every honest Republican, every honest Democrat, and every honest man in the land; nor does it stop here. The millions of oppressed humanity throughout the civilized world rejoice to witness this overwhelming demonstration of the pregnant fact, that the people of the model republic, are not only honest and free but deserve to be free, that they have developed the important fact that men are not only capable of self government, in general, but are also equal to the emergency in any crisis of progressive political putrefaction. They have proved that in such crises they can shake off party ties and teach a lesson to the high priests of political impurity which coming generations will remember and cherish. The lesson is not, however, only to the evil spirits of current maladministration. It speaks to the Democratic party in tones of unmistakable significance. This balance vote says, in plain language, we are not Democrats, but in order to crush out political dishonesty in the administration of the Government we will trust you with power. You have tasted adversity, and we hope and believe that adversity has not been lost on you. We will trust you now and if you prove faithful will

continue you in power; but if you falter or fail we have learned our power, and will hurl you from the high places of abused trusts with a demonstration not less significant than that of the tidal wave of the autumn of 1874. I believe the Democracy will accept the situation, acquiesce in the constitutional amendments in good faith, and accept all the results of the war which may not be in clear conflict with the plainest provisions of the constitution, and even those that may be so, they will only in a constitutional way repeal, alter or amend as the deliberate and enlightened judgment of the people freed from the pernicious influences of bigotry and fanaticism may require. The right of secession is gone forever, revolution is now the only ultima ratio left to rectify incorrigibly perverted government. The sword was appealed to, and the sword has settled this. The finances of the country will take care of themselves if Congress will only withhold its busy mischievous hands, refrain from meddling, and cease to obtrude its offensive nostrums on the common sense of an intelligent, commercial people. The free action of the laws of supply and demand, freed from congressional obstruction and intervention will effect it. If the public domain is sacredly preserved for actual settlers, land grants to railroad corporations stopped. If the public credit be withheld from all schemes of personal or corporate aggrandizement. If the tariff be as an issue, denationalized by the people as it was by the political conventions of May, 1872, at Cincinnati and of Baltimore in the succeeding July. If free banking, retaining all the securities now given to the note holders, by the national banks, be inaugurated. If the present non tax paying bonds of the

Federal Government be redeemed by issuing in lieu thereof other bonds, subject to taxation, State and county and thus distribute the burdens of taxation on all property alike, our people will soon be happy and contented, and all our embarrassments disappear. If the government be administered with honesty and fidelity, based on these and other sound principles of good government, our country will soon challenge the respect, the admiration and the applause of the civilized world. I avail myself of this opportunity to write, as I cannot be present to express these sentiments, because, like yourselves, I love our party for its traditions and its good deeds in the past, and because I wish, from my inmost soul, to see that party, now that it has the opportunity, exhibit to the world a model of pure, honest administration, equal, just, energetic and efficient, vigorous in the exaction of honesty, and capacity in the selection of its agents, and firm and unyielding in its inflexible adherence to all the sound principles of free government.

Very respectfully yours, &c.,

J. Glancy Jones.

Just before the meeting of the National Democratic Convention in Baltimore in 1872, which nominated Horace Greeley for the Presidency, Mr. Greeley appealed to Mr. Jones for his assistance, in the following letters:

New York, June 24, 1872.

My dear Sir:

You are needed at Baltimore, though there is no trouble about the endorsement of the Cincinnati

ticket. But the Free Trade League will struggle hard for a plank in the platform which will bother Buckalew and possibly defeat him. You as a Pennsylvanian and his friend can do much to stop this.

Do not distrust Schurz. He is all right. Tilden is heartily with us and at work. So is Hancock. So is Seymour. Indiana is sure. Our only peril is the defeat of Buckalew, and that you must avert.

Yours very truly,

HORACE GREELEY.

HON. J. GLANCY JONES.

NEW YORK, June 27, 1872.

MY DEAR SIR:

Let me meet you at Mr. Havemeyer's on the evening of July 5. I have many friends at my farm on Saturday and wish you would give me that day. I will come down with you at night, arriving in the city before sunset.

I would not crowd Groesbeck. He will be all right. The holdbacks are coming in fast enough. You will be troubled at Baltimore only to restrain the impetuosity of the immense majority.

Yours very truly,

HORACE GREELEY.

HON. J. GLANCY JONES.

The following letter from the Hon. John Cadwalader, late Judge of the United States District Court, shows the importance that was attached to a communication from the pen of Mr. Jones, which appeared in the public prints, upon the immutability of the principles of the Democratic party:

PHILADELPHIA, 12 January, 1875.

MY DEAR SIR:

In reading the speeches of this and last week at New York and Washington, my thoughts and feelings have recurred to your eloquent and interesting letter published a month ago. In writing to another political friend that the contending parties in this country have always been the same—the party which minds its own business and the party which meddles with business not its own—I have added that we have to explain this difference to the young men who live, not for the past, but for the present and the future. Our principles cannot wear out, and your letter brightens the chain which will associate the past with the future. We must apply immutable principles to new issues, and not revive dead ones. These are the profitable teachings of your letter.

Very truly yours,

JOHN CADWALADER.

HON. J. GLANCY JONES.

Mr Jones died at Reading, Pennsylvania, March 24, 1878, and was buried in the family lot in the Charles Evans Cemetery.

On the morning after his funeral the "Reading Daily Times," a leading newspaper of Reading, which advocated the doctrines of the Republican party, and had always been the political opponent of Mr. Jones, paid the following tribute to this greatest man the county of Berks has produced.

HON. J. GLANCY JONES

Yesterday was laid away, in our beautiful "City of the Dead," all that was mortal of one whose name has been familiar as a household word to the people of Berks for over a quarter of a century. It is creditable to his fame to say that, in the councils of the nation, he honored his people by conspicuously-distinguished service, while he reflected credit upon his country in a high representative position abroad. It is not our purpose to eulogize the character of Mr. Jones, for eulogy can add nothing to a life which in all its relations to his fellowmen was so well rounded as his. And yet we cannot forego the opportunity which his death affords to say, that lives like his deserve to be held up as incentives to others who would win the love and esteem of neighbors and friends. We believe we hazard nothing in saying that he was pre-eminently true to his convictions of right, and that there is none to challenge his perfect rectitude. He had a high sense of honor and loved everything that comprehended the true and beautiful. He had a correlative hatred of everything that was mean and dishonorable. To a blameless life he united graces of mind, tenderness of heart, and unswerving fealty to what he conceived to be the right. May he rest in peace.

At a meeting of the members of the Bar of Berks County, held March 26, 1878, for the purpose of taking action upon Mr. Jones' death, the following minute was adopted, and by order of the Court was spread upon its minutes:

"The members of the Bar of Berks County, being assembled for the purpose of doing honor to the memory of the late Honorable J. Glancy Jones, and of giving fitting expression to their sentiments upon his decease, unite in saying that—

"*Socially*, the deceased was both refined and cultured, one whose politeness was of the purest sort, being based upon a due consideration for the feelings of others, and whose uniform civility rendered his social relations with all who came in contact with him exceedingly pleasant and agreeable. To him belongs the high commendation, he was a gentleman in the fullest sense of the term.

"*Professionally*, he was distinguished for his ability, his dignity, his integrity, and his urbanity and kindness towards his professional brethren and towards the Court. Here his career was such as was calculated to ennoble and elevate the profession in every way.

"*Politically*, his merits and ability raised him to the occupation of lofty positions of trust and confidence in the nation, and made him emphatically one of the great men of his time. His reputation in this respect is more than national, as, having been appointed to represent our Government in a foreign country he filled the position with such dignity and efficiency as not only reflected credit upon his country, but distinguished moreover the particular district wherein he began his political career."

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APPENDIX

DIPLOMATIC CORRESPONDENCE

of

J. GLANCY JONES

WHILE MINISTER *to* AUSTRIA

MR. JONES TO SECRETARY CASS.

READING, 13 Nov., 1858

SIR:

I have the honor to acknowledge the receipt of your letter of the 1st inst. enclosing my commission as Minister Resident to Austria; the acceptance of which I signified in person at the time it was made out. I am unable to fix the precise time when I will be ready to proceed to my post, but hope it may not be later than the middle of December next. I am a native born Pennsylvanian; and should be so registered.

Very Respy.

Your obt. svt.,

J. GLANCY JONES.

HON. LEWIS CASS,
Secy. of State.

MR. JONES TO SECRETARY CASS.

WASHINGTON, 20 Dec., 1858.

SIR:

I have the honor to acknowledge the receipt of your letter of the 18th inst. informing me of my appointment, by the President, by and with the advice & consent of the Senate, as Envoy Extraordinary and Minister Plenipotentiary to Austria; enclosing also my commission for the same, together with a copy of printed personal instructions to Diplomatic Agents, etc., etc., & the documents 1, 2, & 3 inc. I have fixed on Tuesday the 28th day of December as the day of my departure for my post, & my letter of credit can be fixed for that date.

I am, Sir,

Your obt. svt.,

J. GLANCY JONES.

HON. LEWIS CASS, *Secy. of State.*

MR. JONES TO SECRETARY CASS.

No. 1. LEGATION OF THE UNITED STATES,
VIENNA, February 8, 1859.

HONORABLE LEWIS CASS,
Secretary of State.

SIR:

I have the honour to inform you that I arrived in this city on the morning of the 30th of January, & took lodgings at the "Archduke Charles" Hotel, where I propose to establish the Legation until I

may be able to select permanent quarters for myself & family. On the next day, January 31st, I addressed a Note to his Excellency Count Buol, Minister of Foreign Affairs, informing him of my arrival & readiness to present a copy of my letter of credence to the Emperor. To this communication I received a reply, dated the 1st inst., fixing Wednesday, the 2d, at one o'clock, as the hour at which he would be pleased to receive me.

At the time specified, accompanied by Mr. Lippitt, the Secretary of Legation, who has been acting as Chargé d'Affaires since the departure of H. R. Jackson, Esqre., I waited upon him & delivered the open copy of your letter of credence to the Emperor, dated the 18th of Decr., 1858, & asked him when it would be convenient for him to obtain an audience of the Emperor for me in order to present the original letter of Credence addressed by you to the Emperor. He received me with frankness & cordiality, & replied that he was gratified to see, & he knew that the Emperor would be also, that the President had raised the mission to the first class. He regarded it as the best evidence of the friendly feelings we entertained in our relations with the Austrian Government; that it would be duly appreciated & not unlikely reciprocated soon; but if that were not done, he begged me to rest assured it would be owing to other causes & not from any want of a full appreciation of the compliment thus paid by our government. He then stated that he would communicate the facts to the Emperor & an audience would be granted me in a few days, of which I should have due notice.

The conversation then became general. He re-

marked that he was happy to be able to say that no questions were now open or pending between the two governments, & that he could foresee nothing to disturb the free cultivation of the most friendly social relations. I stated that I had nothing special in charge at this time that could conflict with these views & opinions. My instructions were to cultivate the most friendly social relations, & I should take great pleasure in discharging that duty to the extent of my ability. The conversation then turned upon the Commercial Progress of the United States & England; & he said that Austria was not commercial but that they were rapidly becoming more so than at any former period in the history of the government—that this fact was producing its effect upon Austria in exciting a more lively interest in American affairs & increasing the desire to maintain the most friendly relations with our government, that policy affording the best guaranty for mutual commercial prosperity. I concurred with him in these views, & added that we were also rapidly increasing our manufacturing facilities, & that our industrial interests were essentially associated with the development of our commercial & agricultural resources.

The conversation was a very free one, characterized by frankness on both sides, & conducted on the part of Count Buol with the greatest courtesy towards myself.

I have the honour to be,

Very respectfully,

Your obedient servant,

J. Glancy Jones.

Copies of the notes referred to are herewith enclosed.

J. G. J.

[*Enclosure in Despatch No. 1.—Copy.*]

MR. JONES TO COUNT BUOL-SCHAUENSTEIN.

VIENNA, January 31st, 1859.
"ARCHDUKE CHARLES HOTEL."

The Undersigned, commissioned by the President of the United States of America "Envoy Extraordinary and Minister Plenipotentiary to the Court of his Majesty the Emperor of Austria," has the honour to report his arrival in this city & his desire to deliver to your Excellency his letter of credence & make such additional communications as have been entrusted to him, whenever it may suit Your Excellency's convenience to receive him.

With sentiments of great regard, the Undersigned begs leave to assure Your Excellency of his distinguished consideration.

(Signed) J. GLANCY JONES.

TO HIS EXCELLENCY COUNT BUOL-SCHAUENSTEIN,
Imp. Roy. Minister of Foreign Affairs.

[*Enclosure in Despatch No. 1.—Translation.*]

COUNT BUOL-SCHAUENSTEIN TO MR. JONES.

VIENNA, February 1st, 1859.

The Minister of Foreign Affairs, Count Buol-Schauenstein, has the honour to inform Mr. J. Glancy Jones, Envoy Extraordinary & Minister Plenipotentiary of the United States of North America, that he will be pleased to receive him to-morrow, the second of February, at one o'clock.

MR. JONES TO SECRETARY CASS.

No. 2. LEGATION OF THE UNITED STATES,
VIENNA, February 15th, 1859.

HONBLE. LEWIS CASS,
Secretary of State.

SIR:

In pursuance of the promise made by Count Buol, Minister of Foreign Affairs, I received a polite note from him on the morning of the 13th of February, informing me that his Majesty, the Emperor, would be pleased to give me an audience at half past twelve on the 14th inst. Accordingly at the time designated I repaired to the Palace; where I was conducted into the Presence Chamber & left there entirely alone with the Emperor, who received me with a cordiality that I did not anticipate, though I expected a kind reception. I presented the sealed letter of credence to him, stating that in presenting my letter of credence, which I now had the honour to do, I was happy to be able to inform him that the relations now subsisting between the Government of the United States & his Majesty's government were of the most friendly character, & that my instructions were to use all proper means to cultivate & to continue those relations, which instructions I intended to carry out in good faith. The Emperor, taking the letter of credence from me, replied that he was very happy to receive me & to hear my remarks; that he responded fully to all I had said in respect to the friendly relations existing between the respective governments & hoped they might continue; no effort would be

spared on his part to make them so. The conversation then became general. He asked me if I had had a pleasant journey, & how long it had taken me to reach Vienna, & how the President's health was. I replied that it had taken me about three weeks, & that the President's health was good; & then retired.

I had expected to be accompanied by Count Buol, but I found the Emperor preferred to receive me alone. The manner of my reception induces me to infer that he thus intended to adapt the audience more to my republican ideas than he could well do in the presence of his own subordinates—in which he certainly succeeded; for he conducted it with as much freedom & simplicity as it would be done in our own country. I have no doubt the Emperor is sincerely desirous to be on good terms with our government. He is conscious of our rising power & the influence we are likely to wield in moulding the public opinion of the world—which at this time has more controlling weight over the movements of European governments than at any other period of their history. The Emperor is aware that Russia & Prussia have no love for Austria, that England & Sardinia have no sympathies with either her government or her policy, & that France is quasi hostile. The preservation of peace, therefore (which his finances & want of allies imperatively demand), in order to maintain the integrity of his present dominions & to carry out his policy, he is well apprised, depends upon the hostility of the public opinion of nearly all civilized Europe to war, & that our country wields great power in the formation of the public opinion of the world.

I enclose, herewith, a translation of a Note received

from the Foreign Office referring to the case of Andrew Manzini. It will be seen that the Austrian government has granted him the permission for which Mr. Lippitt asked, in a Note a copy of which was forwarded to the Department along with his despatch of Nov. 19, 1858.

I have the honour to be,

Very respectfully,

Your obedient servant,

J. Glancy Jones.

[*Enclosure in Despatch No. 2.—Translation.*]

BARON WERNER TO MR. JONES.

Vienna, February 4th, 1859.

The Imperial Ministry of Foreign Affairs did not delay to refer the esteemed note of the 28th October concerning the complaint of Andrea Manzini, Engineer & American citizen, of his rejection from the Austrian frontier at Moglia Gonzaga, to the Imperial Police Authorities for an investigation of the case & proper disposition thereof. These Authorities have now, under date of the 29th ult., made known that the said complainant was sent back from the frontier mentioned because he was identified with an engineer from Venice of the same name who is a political fugitive, & this suspicion, in addition to the fact of his bearing the same family name & being likewise engineer, was increased by some expressions of which he made use & which strengthened the conjecture of his political doubtfulness.

Since, however, this suspicion of the identity of the

two has now been disproved & there remains no further obstacle to the entrance of the complainant into the Imperial Austrian States, the Imp. Police office on the frontier concerned has been already directed to permit the said Andrea Manzini, in case of his reappearance with Passport, en règle, to pass without hindrance.

In acquainting the respected North American Legation herewith, the Undersigned avails himself of the occasion to renew the expression of his distinguished consideration.

For the Minister of Foreign Affairs,
the Under Secretary of State,
(Signed) WERNER.

TO THE HONBLE. LEGATION OF NORTH AMERICA.

MR. LIPPITT TO SECRETARY CASS.

LEGATION OF THE UNITED STATES,
VIENNA, March 5th, 1859.

HONBLE. LEWIS CASS,
Secretary of State.

SIR:

I beg permission to forward, herewith, for your approval, my account with the United States for services rendered here as Chargé d'Affaires ad interim. The facts of the case are known to the Department; & I need, therefore, only state that the late Minister Resident, Mr. Jackson, took leave of this government in a note, dated July 1st, 1858, a copy of which is

herewith enclosed. From that time, as stated in this note, I was charged with the affairs of the Legation, & so continued until the arrival of the present Envoy, Hon. Mr. Jones, who presented his credentials, as his correspondence will show, on the 1st of February. The length of my service as Chargé d'Affaires was, therefore, seven months; & I may add that during this whole time the Legation was provided with quarters at my expense.

The 10th Section of the Act of August 18th, 1856, "to regulate the Diplomatic & Consular Systems of the United States," reads, "that for such time as any Secretary of Legation shall be lawfully authorized to act as Chargé d'Affaires ad interim at the Post to which he shall have been appointed, he shall be entitled to receive compensation at the rate allowed by this Act for a Chargé d'Affaires at such Post; but he shall not be entitled to receive for such time the compensation allowed for his services as Secretary of Legation."

The compensation of a Chargé d'Affaires to Austria fixed by the Act, as appears from a comparison of Section 1st with Schedule A, is six thousand dollars. I have, therefore, credited myself, in the account herewith rendered, with compensation at this rate for seven months, amounting to $3500—debiting myself, at the same time, with the pay of a Secretary of Legation here for seven months, which, at $1800 per year, is $1050. The balance, in my favour, is $2450.

Very respectfully,
Your obedient servant,
GEO. W. LIPPITT.

[*Enclosure.—Copy.*]

MR. JACKSON TO COUNT BUOL-SCHAUENSTEIN

LEGATION OF THE UNITED STATES,
VIENNA, July 1st, 1858.

The Undersigned, Minister Resident of the United States, has the honour to inform his Excellency, the Minister of Foreign Affairs, that availing himself of a leave of absence granted to him by his government, he will be absent from Vienna for a few months.

In the meantime, the Secretary, Mr. Lippitt, will be charged with the affairs of the Legation.

The Undersigned seizes upon this occasion to renew the assurance of his most distinguished consideration.

(Signed) H. R. JACKSON.

TO HIS EXCELLENCY COUNT BUOL-SCHAUENSTEIN,
Minister of Foreign Affairs.

MR. JONES TO SECRETARY CASS.

No. 3. LEGATION OF THE UNITED STATES,
VIENNA, March 7th, 1859.

SIR:

Since the date of my last despatch, of February 15th, 1859, I received a note from Count Buol, Minister of Foreign Affairs, dated February 19th, informing me that her Majesty the Empress would grant me an audience on the 19th, which of course was accepted on my part, & I was very courteously & kindly re-

ceived. This audience was not asked for by me. A few days afterwards, a verbal invitation was sent to me & all the members of the Legation to dine with Count Buol, which we accepted. The dinner was given to me. The English, Russian, Dutch, & Swedish Ministers, together with the Ministers of Finance, of the Interior, & of Commerce of the Austrian Government, were present. These facts are noted by me merely for the purpose of showing the disposition of the Austrian government to be courteous to our government.

As I sat between Count Buol & Lord Loftus, the English Minister, the conversation very soon turned on politics, & I was a little surprised at the freedom with which the Foreign Minister gave me his opinion of Napoleon. He said he was a bad man & a very dangerous one to the civilized world—that he was embarrassed by his own people. He had a restive standing army which he must keep employed, & the French people were averse to war, which latter circumstance had goaded the Emperor almost to rashness & madness. I replied that our policy was, I was glad to find, as well understood by European governments as by our own poeple—that we will adhere to the doctrine of strict non-intervention as laid down & recommended by Gen. Washington, & particularly so in European affairs; while we will expect, on the principle of protection to our institutions & of securing ample scope for national progress & expansion, a reciprocation on their part on the American Continent. I added that our sympathies were openly & avowedly with the success of Republican institutions everywhere, but that our policy required us

to refrain from any overt act of intervention in the affairs of other nations—that with these views I was free to say that the American people did not recognize the mission of the French Empire as far as it had been developed, as of the American type of Republican ideas; & that however much our sympathies might be excited in behalf of Italian liberty & unity in the abstract or concrete, I thought no American looked favorably to French intervention—in other words, we have no faith in the propagation of Republican ideas in Europe with French bayonets or under the auspices of the French Empire. Count Buol at once saw the distinction & was pleased to find we so understood matters.

My conversation with Lord Loftus, the English Minister, was principally on the working of our ballot system in the exercise of the franchise of our country—his Lordship not being partial to the system & evidently disinclined to favor the reform bill. I of course advocated our system, & particularly the right of the voters to be their own judges as to the mode and manner of its exercise.

Lord Cowley's arrival here on a special mission has created quite a sensation. I called on his Lordship, who received me with great cordiality & conversed very freely on his mission. His object was to save bloodshed in Europe, & prior to his taking his seat in the conference to ascertain the disposition of Austria. Of course he did not go into details, nor did I suggest anything beyond generalities. As I stated in my former despatch, the elements which make up public opinion in Europe are against war, & it is spreading its influence all over France to such an

extent as to alarm the French Monarch & bring out an emphatic denial of the charge that war was ever contemplated by him, through the medium of his official paper, the Moniteur.

This movement of Napoleon arises from a desire either to weaken Austria & strengthen Sardinia, with which latter he has recently formed a dynastic alliance, or to compel England, in order to preserve the peace of Europe, to interpose her influence in Italian affairs to such an extent as to reconcile the liberals of Italy to the Imperial dynasty of France, & also to suppress English sympathies for the refugees of France who may threaten the Emperor's life. The French Emperor feels that his former connection with the Italian republicans is embarrassing. They charge him with sympathizing with Austria, & this feeling has met a response in England which has aggravated him very much. The prospect now is of a decidedly peaceful character.

In accordance with my instructions, I am making out an inventory of the effects of the Legation here & will forward it as soon as it is completed.

I enclose, herewith, the translation of a note received from the Foreign Office, returning the Commission of Mr. Remak, U. S. Consul at Trieste, with the Imperial Exequatur attached to it. The Commission has been forwarded to Mr. Remak at Trieste.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Honble. Lewis Cass,
Secretary of State.

[*Enclosure in Despatch No. 3.—Translation.*]

BARON WERNER TO MR. JONES.

VIENNA, Feb. 25, 1859.

The Imperial Ministry of Foreign Affairs has the honour, referring to its note of the 26th January, to transmit to the Envoy Extraordinary & Minister Plenipotentiary of the United States of North America, Mr. J. Glancy Jones, the Commission of Mr. S. S. Remak, appointed Consul of the United States for Trieste & the ports of the Adriatic sea not belonging to the Lombardo-Venetian Kingdom, with the Imperial Exequatur attached thereto, in order that it may be forwarded to the said Consul.

The undersigned, in adding that the Central Maritime authorities at Trieste have been directed to take the necessary steps for the definitive recognition of Consul Remak, already provisionally admitted to the exercise of his functions, avails himself of this occasion to renew to the Minister the expression of his perfect consideration.

For the Minister of Foreign Affairs,
the Under Secretary of State,
(Signed) WERNER.

TO THE ENVOY EXTRAORDINARY & MINISTER PLENIPOTENTIARY OF THE UNITED STATES OF NORTH AMERICA, MR. J. GLANCY JONES

MR. LIPPITT TO SECRETARY CASS.

LEGATION OF THE UNITED STATES,
VIENNA, April 26, 1859.

SIR:

Under date of the 1st of February last, I had the honour to forward to the Department a despatch containing an account for the contingent expenses of this Legation for the last quarter of 1858. As no answer has been received to it, I fear it may not have reached Washington; and the despatch Agent in London having applied to me for the payment of his portion of the amount, I take the liberty to send, herewith, a duplicate of the account referred to. The whole amount is £15. 16. 11, & for this sum I beg to be allowed to draw on the U. S. Bankers in London against the contingent fund of the Legation for 1858.

Very respectfully,
Your Obedient Servant,
GEORGE W. LIPPITT,
Sec. of Legation.

HONBLE. LEWIS CASS,
Secretary of State.

MR. JONES TO SECRETARY CASS.

No. 4. LEGATION OF THE UNITED STATES,
VIENNA, May 9th, 1859.

HON. LEWIS CASS,
Secretary of State.

SIR:

I have the honour to forward, herewith, a copy of a letter addressed to me by Mr. Remak, U. S. Consul

at Trieste, & a copy of one which I have myself written to Com. Lavalette, commanding our Squadron in the Mediterranean. Mr. Remak, writing, as will be seen, under the impression of probable danger to our citizens & their property at Trieste, from the war which has broken out between Austria & France, solicits me to use my influence to secure the presence of one of our ships of war in his vicinity. I do not anticipate that an attack will be made, for the present at least, upon Trieste; as that city forms part of the Austrian territory belonging to the German confederation, & it is against the interest of the French to provoke a quarrel with this body. Still, as the upper waters of the Adriatic will, in all probability, soon be the scene of operations which may injuriously affect American interests, I have felt it my duty to communicate with Com. Lavalette & to request him, if compatible with his instructions, to despatch one of the vessels of his Squadron to that quarter.

The entrance of the Austrian Army into Sardinia on the 29th ulto. led to a general expectation that some great blow would at once be struck, but up to this time, so far as can be known here, nothing decisive has been done. As soon as any occurrence of importance takes place, I shall seize the first opportunity to communicate it.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

[*Enclosure in Despatch No. 4.—Copy.*]

MR. REMAK TO MR. JONES.

CONSULATE OF THE U. S. OF AMERICA,
TRIESTE, April 25th, 1859.

TO HIS EXCELLENCY J. GLANCY JONES,
Envoy Extraordinary, &c., Vienna.

SIR:

I have the honour of notifying you that I recommended to the Department of State the presence of a U. S. Vessel at this port, stating that I believe American firms largely interested here, large consignments having lately been made. I merely referred in general to the prospects of war, confining myself to commercial interests. It appears now that the war is imminent and some of the Austrian officials here fear that Trieste will be attacked by the belligerent powers. It is also stated that in 1848 the presence of a U. S. vessel materially contributed to prevent a bombardment of this place. According to Section 421 of the "Consular Instructions," I may present the facts to the commander of a U. S. vessel in case of imminent danger to the life or property of U. S. citizens. Before doing so I should like to consult with you.

Do you think that the danger is imminent? Will the belligerent powers not respect Trieste, containing so much property belonging to citizens or subjects of neutral nations? If you are of opinion that the danger is imminent, as a great many merchants here believe it, then *you* might ask the presence of a vessel from the Commander at Spezzia. I am desirous to discharge my duty fully and promptly, at the same time

to steer clear of matters which do not concern me. You have probably the power to order a vessel from Spezzia without stating any reason at all. *No facts* can be presented except the one that the property consigned or sold, probably on time, by American firms within the last two months may amount to *Three millions of dollars.* True, the principal firm who received the merchandise is first rate, but a contingent bombardment may ruin any house. There is a native American citizen in my jurisdiction who has at all times large claims against the Austrian Government, and who urged on me the sending of a vessel some time ago, but I waited until it should be more justification for it. I am not acquainted with the name of the Commander at Spezzia. In case you should wish me to act directly, I request you to give me the name of that official.

I am, Sir, Very Respectfully,
Your most Obedient Servt.,
(Signed) STEPHEN S. REMAK.

[*Enclosure in Despatch No. 4.—Copy.*]

MR. JONES TO COMMODORE LAVALETTE.

LEGATION OF THE UNITED STATES,
VIENNA, April 30th, 1859.

SIR:

I have received a despatch from the United States Consul at Trieste, Mr. Remak, which is based upon an application made to him by a citizen of the United States & others, consignees of a large amount of property belonging to citizens of the United States, stating

that they are fearful of the consequences of war & apprehensive of the destruction of much valuable property, & requesting me to take such steps as may be deemed expedient by me to secure for them & their property the best protection possible. I am without *specific* instructions upon this subject, but have no doubt that your general instructions will cover the case. I would leave it, therefore, entirely to your discretion without any suggestion of mine, knowing that your long experience and thorough knowledge will prompt you to do what is right and proper in the premises, if it had not occurred to me that you very naturally might at least expect to hear from me on the subject, accredited as I am to the Austrian Government. As the crisis of war is upon us & the case may not admit of much delay, I make this communication without waiting to hear from you what your instructions & intentions may be. I do not, however, deem the exigency so great as to justify hasty measures. If such an exigency should arise, I would not hesitate a moment to exercise all the power I possessed to secure the protection of American citizens & of their property, within the dominion of the Government to which I have the honor to be accredited.

As will be seen from the letter of Mr. Remak, a copy of which is herewith enclosed, there appears to be an apprehension of a bombardment of the ports of Trieste & Venice, & while your instructions and mine require us to observe the strictest neutrality & non-intervention in the affairs of European Governments, belligerents or otherwise, it is equally imperative not only to protect, but to be in such positions as to be

ready to protect the lives & property of our citizens in foreign countries.

I have therefore to request of you, if compatible with your instructions, that a vessel of war of the United States may appear in the waters of the Adriatic, to be in readiness to do what may hereafter be required in accordance with present & future instructions in order to protect the persons & property of American citizens. It is hardly necessary for me to add that if you feel at liberty to comply with this request, which is still left to your discretion, you will carefully abstain from any act which could possibly subject the Government of the United States to the imputation of having any other object in view than simply that of being ready to offer protection to its own citizens & their property, & to maintain those rights which are conceded to neutral powers by the common consent of all nations.

Very respectfully,
Your Obedient Servant,
(Signed) J. Glancy Jones.

Com. E. A. F. Lavalette,
Commanding U. S. Squadron in the Mediterranean.

MR. JONES TO SECRETARY CASS.

No. 5. Legation of the United States,
Vienna, 23rd May, 1859.

Sir:

In my last despatch I stated that as soon as anything of interest occurred I would apprise you of it.

Since that time Count Buol has tendered his resignation, and Count Rechberg has been appointed his successor in the Foreign Office. As this action indicates an entire change of policy, I deem it better to refrain from any speculation on the subject until the new policy is more fully developed; and I do this the more readily because the neutrality of our Government is so well understood and believed in by all the powers, belligerent and neutral, that no hasty action can be called for on the part of our Government. For the present, therefore, I shall only add to the official communication of the fact of the change in the head of the Imperial Office for Foreign Affairs, the remark that Count Buol was recognized as the most advanced of Austrian Statesmen in favor of the progress of liberal ideas; his friendship for England is well known, and his position was impregnable until England abandoned him; his administration was anti-absolutism, and of course the reverse of the old Metternich régime; and if England had stood firmly and boldly by him, she could have dictated to Austria constitutions for all the Italian States; and it was the misapprehension on the part of Russia that England would do this that impelled her (Russia) so hastily to rush in and propose a Congress, after Lord Cowley's visit to Vienna had showed the temper of the Austrian Government and its readiness to follow England.

This line of policy on the part of Count Buol, of course, left him without the support of the absolutists, and with the hostility of Russia. Austria under Count Buol had seconded England in the conference of Paris on the Danubian province question, which

touched Russia to the quick. It has been charged that Count Buol had congratulated the allied armies on their success at Sebastopol, while the mere fact that Austria should be allied to the enemy of Russia, to which power Austria owed so much, was supposed of itself to be a sufficient offence without these additional aggravations. England, if she had been firm and true to her professed policy of propagating constitutional forms of Government in Continental Europe, had here the opportunity; but she left Austria to her fate, and that fact, being known to France in advance, accounts for her boldness in disregard of public opinion in pressing the war. This left the Austrian Government but one alternative. Count Buol had even stopped the Armies in Italy after they had passed the Ticino, to listen to a final proposition from England which he was led to believe, if rejected by France, would commit England to Austria. The effect of this was to delay the Austrian forces until France had time to get her troops into Sardinia, and thus deprive Austria of a very great advantage; but the proposition was rejected by France, and England still declared herself neutral. The Derby Government is still inclined to side with Austria, if public opinion sustains this side of the issue in England.

Count Rechberg is the recent Ambassador to the Diet at Frankfort, and President of that body. He is a Bavarian by birth, and an absolutist; with him English influence is gone here, and Russian will rise. He is acceptable to Prussia, and indeed to the whole régime of Military power and reactionary ideas; he is able and energetic, is the son of the former premier

of Bavaria, and has had large experience. The diplomatic corps have all paid their respects to him, including myself, immediately after receiving the official notice, a copy of which I enclose in this despatch. I also enclose copies of my further correspondence with Mr. Remak, Consul at Trieste, being a letter from him to me enclosing a copy of his to Com. Lavalette, and my answer to him, also copies of my letter to the Foreign Office relative to the case of Anton Dobrentic, and their prompt reply, which shows their disposition to please our Government. In any event, I feel assured of a strong friendship for our Government being maintained by all the powers of Europe while they are complicated with European affairs and we are neutral; our non-interventional policy promises to enure immensely to our advantage in these complications. Although the policy with us is old, yet on no former occasion was our power felt as it is felt now; and the friendship of Russia for us, and the reasons why, and our power and influence in the family of nations, and their eventualities, are familiar topics of discussion in every diplomatic circle. Our unlimited power to furnish the materials of war, and bread to feed armies, and ships for the carrying trade, and seamen to man them, while we maintain our neutrality, are considerations of such magnitude and so much felt as to force them upon the consideration of every diplomatist of Europe. I can find no trace here of a cipher ever having been furnished this Legation; as my instructions say that one will be furnished if asked for, I desire that I may have one immediately if convenient. I have thus far had no use for one. But if Austria is to be made the centre of

European diplomacy, at least for the present, I cannot tell how soon I might want it.

Very Respectfully,
Your Obedient Servant,
J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State*,
Washington, D. C.

[*Enclosure in Despatch No. 5.—Translation.*]

Circular.

His Imperial and Royal Apostolic Majesty having deigned, in appointing a successor to Count Buol-Schauenstein, whose health has induced him to tender his resignation, to confer upon the Undersigned the Ministry of the Imperial Household & of Foreign Affairs, he has the honor to apprize thereof Mr. J. Glancy Jones, Envoy Extraordinary & Minister Plenipotentiary of the United States of America, requesting him at the same time to be pleased in future to address to him all communications which he may have to make to the Imperial Majesty.

Congratulating himself upon being called upon to enter into official relations with the Envoy (Mons. L'Envoyé) the Undersigned begs to assure him of the earnest solicitude with which he will cultivate them.

He feels it his duty also to inform him that next Friday, between two and four o'clock, he will be happy to receive those gentlemen, members of the Diplomatic Body, who may wish to make communications to him, & that in future he will be at their disposal during the same hours every Monday, Wednesday, and Friday.

If, in case of important business, the Envoy should wish to communicate with him on other days of the week, he will be pleased to send him word to notify him thereof.

Finally, in making known that the Assistant Secretary of State, Baron de Werner, will be authorized, as heretofore, to sign all diplomatic communications which the Imperial Ministry may be called upon to address to the Foreign Missions concerning administrative & current affairs, he seizes with eagerness this occasion to offer to Mr. J. Glancy Jones, the assurance of his very distinguished consideration.

VIENNA, May 18th, 1859.

(Signed) RECHBERG.

TO MR. J. GLANCY JONES,
Envoy Extraordinary & Minister Plenipotentiary of North America.

[*Enclosure in Despatch No. 5.—Copy.*]

MR. REMAK TO MR. JONES.

CONSULATE OF THE UNITED STATES,
TRIESTE, May 15th, 1859.

HIS EXCELLENCY J. GLANCY JONES,
Envoy Extraordinary & Minister Plenipotentiary of the United States of America.

SIR:

Your despatch of the 6th inst. with enclosure for Com. Lavalette reached me.

The mail between here and Spezzia is also stopped, Spezzia being a Sardinian city.

After reading the copy of your despatch to Com. Lavalette, with which you honored me, I found that you were desirous to leave to Com. Lavalette a great deal of discretion with reference to the presence of a United States vessel in this port. I deemed it therefore proper, & I think you will approve of it, of making *my* despatch of the 25th of March, addressed to *you*, of which Com. Lavalette receives a copy, more complete, by stating that no application or suggestions have been made to me in *writing;* but enclosing a copy of my communication to Com. Lavalette covering your despatch, you will be able to judge for yourself.

I might mention in this connection that a leading clerk of, I believe, the first house in this city was yesterday at my office upon some other business, and stated to me that in all consignments to Trieste from the United States American citizens are always more or less interested.

It is then evident that I must, as Consul of the United States, look to the interests of those who are absent in a critical time like this, else I might justly be charged with negligence.

On the 2nd of May, Martial Law was declared in Trieste and its vicinity by the then Governor of Illyria, but this power was superseded a few days subsequently by the appointment of Count Wimpfen as Commander-in-chief of the first Army, & on the 7th by an additional proclamation, which gave, by some additional provisions, greater force to the proclamation of the 2nd of May. The consequence is, that even matters which have not the slightest relation with the political issue are not discussed, in order not to displease the Imperial Government.

You will then readily observe that it is almost impossible to converse with any one with reference to any matter bearing upon commercial interests, as they are strongly connected with the political prospects. I am therefore compelled to draw my own conclusions from the little I can gather, and must take the responsibility for that, what I am saying.

It is of course impossible to say with certainty what will be done on the part of the Authorities here, but it looks as if Trieste will be defended. I could communicate a great deal upon *that* point, but it appears to me I might transgress upon the *spirit* of my instructions.

The authorities here seriously expect, almost every day, that Trieste will be blockaded by a French Navy.

There was no other way to transmit your despatch to Com. Lavalette except to send it to another country. I therefore transmitted it to our Minister in Berne.

I am, Sir, Very Respectfully,

Your Obt. Servt.,

(Signed) STEPHEN S. REMAK.

[*Enclosure in Despatch No. 5.—Copy.*]

MR. REMAK TO COMMODORE LAVALETTE.

CONSULATE OF THE U. S.,
TRIESTE, May 10th, 1859.

COM. E. A. F. LAVALETTE,
Commanding U. S. Squadron in the Mediterranean.

SIR:

The enclosed despatch of His Excellency J. Glancy Jones, our Envoy Extraordinary and Minister Pleni-

potentiary at Vienna, reached me to-day, with the request to forward it to you.

No mail being between here and Spezzia, I transmit this communication with the enclosed despatch to our Minister in Berne, Switzerland, entertaining the hope that it will reach you.

I have had the honor of receiving a copy of the despatch by Mr. Jones, and I deem it necessary to add that application or suggestions with reference to the presence of a United States vessel in the harbor of Trieste were only made verbally, and I am obliged to take the whole responsibility of that, what I have said in my communication of the 25th of April, 1859, addressed to your Minister at Vienna, of which you are, as I am informed, receiving a copy, upon myself.

In order to illustrate to you the shyness of firms even of standing to reduce matters of this character to writing, in a matter of mere commercial bearing, where I refused an application, and made the parties the proposition they should make their application in writing, and I would then give my reasons fully for declining it and they might then appeal from my decision to the United States, State or Treasury Department, they preferred to abide by my decision because it might not please the Austrian Government.

I am, Sir, Very Respectfully,

Your Obt. Servt.,

(Signed) STEPHEN S. REMAK.

[*Enclosure in Despatch No. 5.—Copy.*]

MR. JONES TO MR. REMAK.

LEGATION OF THE UNITED STATES,
VIENNA, May 17th, 1859.

SIR:

Yours dated 15th May is duly received, and I have only to reply that the course pursued by you in sending an additional despatch to Com. Lavalette and a copy to me, explanatory of your first, was right and proper; while there should be no hesitation in furnishing prompt relief to the persons and property of American citizens in Foreign Countries, whenever it is called for, too much caution cannot be exercised at a crisis when all is involved in uncertainty and doubt. We have the strongest assurances from all the powers of Europe, belligerent and neutral, of their friendly feelings to our government and its citizens, and this friendship is in some measure based upon the assurances so repeatedly given to these powers by our government at home and through its representatives abroad of our strict adherence to the doctrine of non-intervention in European affairs, beyond the maintenance of those rights and privileges guaranteed to us by treaties and the law of nations. The presence of a vessel of war in any of the waters of Europe specifically for such purposes, which are all of a pacific character, would give no offence to any power; and it is to be presumed that Commodore Lavalette's instructions are adequate to any emergency of this character which may arise. Hence, unless for a clearly adequate cause, not falling within the range

of ordinary events, no specific order contravening the general instructions should be given by a Minister; because when acting out of the ordinary line of instructions, it is the acknowledged right of any Foreign Government which may be affected to enquire of the Minister or his Government so acting the reason and objects of his conduct, and it should always be in their power to lay before them, if they deem proper, the complaint or grounds of action in writing, so as to avoid any misunderstanding in the premises and to preserve the strict neutrality and friendly relations of his government, & this should always be adhered to unless a disposition should be clearly shown to infringe upon our acknowledged rights and privileges. As we are on the eve of a crisis, no one can now fully foresee or understand. I have written at this length in order that you may fully understand my views. You need not be apprehensive of any responsibility which will result from such conduct; there are no instructions which forbid or restrain you from the fullest communication with me relative to any facts transpiring in your Consulate which affect, or may affect, the government you represent or the acknowledged rights of its citizens.

Very Respectfully,
Your Obt. Servt.,
(Signed) J. Glancy Jones.

Stephen S. Remak, Esqre.,
U. S. Consul at Trieste, Austria.

[*Enclosure in Despatch No. 5.—Copy.*]

MR. JONES TO COUNT BUOL-SCHAUENSTEIN.

LEGATION OF THE UNITED STATES,
VIENNA, April 1st, 1859.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States, has been urged by highly respectable parties to ask the attention of the Imperial Minister of Foreign Affairs to the following case.

Anton Dobrentic, formerly of Tyrnau, Ober Neutran Comitat, Hungary, now of the State of Indiana in the United States, has made repeated applications to the Imperial Authorities to obtain permission for his wife and two children, now at Tyrnau in destitute circumstances, to join him in America. This permission, to the great sorrow and distress of the family, has been refused, on the ground, as the Undersigned conjectures, that Mr. Dobrentic left the country with only a travelling passport, and has taken the initiatory steps to becoming an American citizen without first obtaining the consent of the Imperial Government.

If this be so, the Undersigned has of course no official right to intervene in the matter, and he only begs to submit to the humane consideration of the Imperial Royal Government the question whether the innocent wife & children may not be spared further sufferings and allowed to join the husband and father, who is anxious and able, if he can have them with him, to support them by his labour.

The Undersigned seizes upon this occasion to renew to his Excellency Count Buol-Schauenstein, Imperial

Minister of Foreign Affairs, the assurance of his perfect consideration.

(Signed) J. Glancy Jones.

To His Excellency The Imperial Royal Minister of Foreign Affairs, Count Buol-Schauenstein.

MR. JONES TO SECRETARY CASS.

No. 6. Legation of the United States,
Vienna, July 18th, 1859.

Sir:

My last despatch communicated the fact of a change in the head of the Foreign Department of this Government, & the motives, so far as rumoured opinions in diplomatic circles could discern them, for making this change. Nothing has transpired since in the shape of tangible facts of sufficient importance to require a communication to be made by me, until the recent event of an Armistice, followed immediately by the settlement of Preliminaries to a Treaty of Peace. This event took all Europe by surprise. It was proposed by France, & arranged in a private interview between the Emperor of the French & the Emperor of Austria. The public were apprised of two facts alone—first, that an Armistice had been asked for by the French Emperor, and had been acceded to by the Austrian Emperor; second, that in the interview which followed, the preliminary terms of a treaty of Peace had been agreed upon. The diplomatic Corps, as well as the highest officials of the French & Austrian Governments, appear to be as little informed

as the great Neutral Powers of England & Prussia. Nearly all is left to conjecture. That the peace will be permanent between Austria & France is universally believed; that Italian independence & nationality are not much advanced by this French invasion is equally apparent, & that liberal ideas, as understood by both continents (saving the Modern French definition), are not likely to take very deep root. Still, in the most private & best informed circles, each one makes up his opinion, not from what he knows, but as he reasons on the character & supposed designs of the French Monarch. One supposes Peace is hastily made in order to secure the firm friendship of Russia and Austria, in at least breaking down the influence of England & Prussia, & that this leads France immediately to the Rhine, with liberal promises to Russia & Austria of aid in the partition of Turkey, in which France is to have Egypt, &c., &c. But all these are conjectures, & I would not write them in the shape of a despatch if it were not to inform you that conjectures as they are, they seem to be the best information to be had here, outside of the sovereigns themselves. As to England & Prussia, no one seems to see any good intentions for them. Austria is very much disgusted with England & Prussia, & perhaps almost hostile. The same feelings are supposed to prevail at St. Petersburg & Paris; but whether it will end in an issue or not, no one can tell. Every one believes the Emperor of the French has designs & moves with a direct view to his object; but it is equally well known that he keeps his own counsel, only imparting to his allies enough to secure their adherence.

Our own government has passed through un-

touched. All express satisfaction with her conduct & good faith, & all seem desirous of cultivating her good will. Never did the doctrine of non-intervention work better—and England would be equally benefited if she interfered as little in Continental affairs in peace as she has lately in war.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State*,
Washington.

MR. JONES TO SECRETARY CASS.

No. 7. Legation of the United States,
Vienna, Sep. 5th, 1859.

Sir:

Since my last, I have received your despatches marked Nos. 2 & 3. The first relates to the death of the Arch Duke John, intelligence of which had been communicated to you by this Government. I presented in due form the sealed, enclosed letter of the President addressed to the Emperor on this subject.

The second, No. 3, accompanied with a copy of a lengthy despatch to the Minister of the United States at Paris, relative to the subject of the law of nations, rights of neutrals, &c., &c., and suggesting such modifications as would in the opinion of the Government of the United States be greatly conducive to the interests of maritime Nations, ameliorate the evils of war, and promote general civilization, came too late to be

presented to the consideration of this Government *pending the War*, which it was supposed would be prolonged, and during the pendency of which it was supposed the consideration of the subject matter of your despatch would be peculiarly appropriate. Peace having been declared, however, did not deter me from presenting the subject at the earliest convenient opportunity. In a personal interview I had with Count Rechberg, I communicated to him the purport of the despatch I had received, and stated that I hoped the peace would not prevent the consideration of a subject which was of general interest and of a permanent character, and, although applicable to a state of war, was not confined to any particular war. He replied that he would like very much to confer with me on the subject, and that he thought a time of peace more favorable than war for its consideration. I referred to the "conference of Paris," of April, 1856, and to the declaration on the four points of international law annexed to protocol No. 23, which that body had modified, and which modification was held to be binding by all the powers who had required or acceded to it. He remarked that Austria was a party to that conference and meant to stand by it, as far as it went. I told him that the Government of the United States had never acceded to them as a whole, but did fully and would even go further as to some of them; and although I had no instructions on that subject, she possibly might concur in the principles at the basis of the whole, if they were so modified and enlarged as to be made acceptable to her views and interests. In this I alluded to the proposition of President Pierce, as made by Gov. Marcy in his letter to Count Sartiges

dated 28th of July, 1856, on the subject of the conference at Paris. Count Rechberg replied that not being connected with the administration of the Government at the time, he was not familiar with the subject, but that he would consult the Crown lawyer upon it and examine it himself, and be glad to confer with me again soon.

I then referred him to the agreement annexed to protocol No. 24 of the Paris conference, as a sequent to the declaration, wherein it was agreed that no one of the parties which required or acceded to the declaration should enter into any arrangement in regard to the application of the rights of neutrals in time of war, except upon the basis of the four points in the declaration; and further, that it was their interest to maintain the indivisibility of the four points, informing him at the same time that most of the points upon which I was instructed related mainly to the rights of neutrals, and were written at a time when Austria was at war with another great continental power, with which the Government of the United States was at peace, and in which she apprehended that her rights as a neutral (being a great Maritime power) might be affected. I wished to know as a preliminary, therefore, whether Austria would negotiate on these questions of the rights of neutrals, without exacting a concurrence in the four points indivisibly as a basis and a preliminary to further negotiations; and in the mean time I would address a note to him on the subjects involved, and only alluded to these points now in order to draw his attention to the true issues involved as he was about to examine the question, with a view to other conferences, and that I had preferred

to introduce the subject in a personal interview, because the circumstances had been much changed, since my instructions had been written, by the peace. Count Rechberg, then, reassuring me that he would like to take up the subject and would inform himself, said he had no doubt that Austria would concur with us most cordially in modifying the 1st point in the declaration by adding to the clause abolishing privateering that "the private property of the subjects or citizens of a belligerent &c., &c., shall be exempted from seizure by public armed vessels of the other belligerent, &c., &c."—that Austria was disposed to go further, and define more clearly what should constitute a blockade, and also what shall be strictly considered contraband of war; that in her recent struggle with France, however, she had tried to get Great Britain to so consider coal, but they could get no other than an equivocal answer; he deemed this as material to the interests of Austria, as against some of the continental powers, if England could have been induced to take ground in favor of it. The Count then proceeded to inquire of me what the opinion of our Government was in relation to the right of the armed vessels of a belligerent seizing the Merchant vessels of the other belligerent, and making prisoners of war of her sailors and unarmed men on board, and proposing to exchange them as regular prisoners of war. France, he said, had done this, and he was confident it would not be recognized as sound international law.

To the right of seizure he took no exception as the law now stands, but that unarmed men, such as sailors on board Merchant vessels, could be seized and held, and treated as prisoners of war, he denied, and said

he had submitted the question to England, but that she evaded giving any satisfactory answer. He was very anxious to have the views of our Government on the subject, regarding, as he said, our voice as equally potential to that of any other maritime power. He added, also, that in the event of a convention between the United States and Austria relative to the question of contraband, it would be necessary to settle the question of the right of search, at least so far as to ascertain the character of the cargo, whether it was contraband or not.

I replied that I was very much pleased to find Austria so willing to enter into a negotiation on these questions. That as to the right of search, our Government was very tenaciously opposed to it, *per se*, but that she did not withhold her assent from the settled question of international law, that neutrals shall not carry contraband of war; that I had no instructions on this subject, but no doubt would have if the point should ever regularly come up. As to the question of seizing and making prisoners of war sailors and unarmed persons at sea on board of trading vessels, I was not aware at present of a case in point ever having been formally considered by our Government. Having no precedent on the subject, it would be a question simply of International law, upon which he was as competent to judge as I was; that having no instructions, I could say nothing, officially, relative to the subject matter, but my opinion was that our Government was strongly inclined in the direction of exempting all private property of belligerents as well as neutrals from seizure, and by parity of reasoning, if this were once done, I should suppose that vessel

and cargo being exempt it would follow that the sailors should be also; or, in other words, it would be rank nonsense to stipulate that all private property of a belligerent shall be exempted from seizure by the armed vessels of the other belligerent, and at the same time admit that such property at sea might be stripped of the men who had it in charge, and whose skill and care was absolutely essential to its preservation; and further that my object was not now to discuss any of these questions on their merits. Instructions had been given me to present to the consideration of his Government certain questions relative to the rights of neutrals, among which were conspicuously the limitations and restrictions to be fixed upon contraband of war, and blockades, which it was supposed might be affected during the war then pending between France and Austria, and in which as a neutral power (as our Government, I was instructed to inform him, intended to be) we had a deep interest. That since these instructions had been given, and before I had been able to act upon them, peace had been declared, and I had determined to avail myself, under all the circumstances, of a personal interview, first to ascertain whether the Austrian Government felt disposed *at this time* to enter into the consideration of the questions involved with the United States, and that as he had already answered me that he would examine the preliminary questions, and in the mean time would be pleased to hear from me, I would at an early day communicate to him in writing what I had to say.

The conversation then turned upon the war just closed. He said Kossuth had been paid 3,000,000 to agitate the revolution in Hungary, which was mainly

intended to bring Austria to speedy terms, and that Kossuth was privy to all this and had no expectations of effecting anything in Hungary. That Prince Metternich, just deceased, had a letter of Kossuth's in his possession which would settle his character with the republican world if published, but that the Prince positively refused to give it to the public, though he had tried hard to obtain his consent. The tone of conversation is changed as to France, indicating clearly that they expect to *act* hereafter with France, and feel a common hostility with her towards Prussia and England. Still, great freedom of speech is used, and no concealment of their opinion that the French Monarch requires close watching, and that an *Ally* has need to be as wide awake as an enemy. The prompt settlement at Villa Franca of the terms of peace, and the perfect confidence everywhere reposed in the stability of that peace, between these powers, convinces every one that it contains secret articles between the two Sovereigns in which they and their dynasties are principally interested. All hostility to France is transferred to England and Prussia, and Austria is taking a deep interest now in French progress. As to speculation, it is idle now, but the end is not yet. Russia is trying to get Prussia into a Congress.

The Allies want the new States of Italy to be sanctioned by a Congress. Prussia is anxious to oblige Russia and wants her good services with France, whom she fears so much that while holding on to her English Alliance (odious to Russia) she is unwilling to loose her hold on Russia. Russia is busy now trying to get up a Congress, moved by France as she was be-

fore, and Constantinople, as of old, is the magnet which draws Russia. Italian affairs once settled and all the powers committed to them, then will open the new drama.

Count Rechberg talked very freely to me in this interview about the reforms needed in the Austrian Government. He remarked that Metternich's great mistake consisted in not interesting the masses of the people in their Government, and that now the subject was fraught with difficulties which would not have existed if taken at an early day. They are at work upon the subject very earnestly, but what it will end in no one can tell yet.

I wish to be instructed as soon as convenient on the questions: 1st, if Austria conditionally assents to all proposed in the instructions already given, what I shall say in relation to the proposition of President Pierce before alluded to, to wit, agreeing to abolish privateering, provided the clause be added which I have already referred to? and secondly, if she consents to exclude coal from the list of contraband of war, what I am to say in relation to the right of search in order to ascertain whether neutral vessels have contraband on board or not? and thirdly, what I shall say on the question of seizure of unarmed men on trading vessels as prisoners of war.

The commerce of Austria with the United States is increasing rapidly; the receipts into the United States Treasury for duties on exports from Vienna alone will be, for the months of April, May, June, and July, not less than $75,000. The fees received at present more than pay the salary of the Consul here, and his duties are increasing very much. The duties

of the Consulate here are most faithfully discharged by Mr. Stiles, the present Consul.

The Austrian Government has determined to raise the Mission to the United States to the rank of an Envoy Extraordinary and Minister Plenipotentiary in reciprocity to our action, and with a view to evince their cordial friendship.

Very Respectfully,
Your Obedient Servant,
J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State*,
Washington.

MR. JONES TO SECRETARY CASS.

No. 8. Legation of the United States,
Vienna, Novr. 21, 1859.

Sir:

A longer period has elapsed since my last despatch than it is usual for me to allow between despatches; but in addition to the standing reason that I have nothing of interest to communicate, I have had a special reason for waiting either to hear something from home relative to your despatch of the 30th of June in answer to my inquiries, & also to enable the foreign office here, by a little delay, to despatch some of its more pressing business growing out of the late war & concerning a settlement of the terms of peace & the domestic reforms required & promised. In my last despatch, I stated that in consequence of your Note relative to the question of international law not

having reached me before the war was concluded, I feared that it would be inopportune & perhaps useless to press it just now, hence preferred to open the subject verbally & defer communicating more fully in writing until I was further instructed & the foreign office better prepared to hear me. Time has only convinced me that I was right, & I have deferred writing the more readily because the despatch was a circular one & of a general character, & not addressed to me specifically or with special instructions. Except, therefore, to communicate fully as instructed the views of my Government to the Imperial Minister of Foreign Affairs on all these questions, verbally, at different interviews, & to receive in return a repetition of the sentiments & opinions given in my last, I have done nothing; because, as already stated, I saw that a correspondence would be fruitless at this time, unless I had new & more comprehensive instructions subsequent to the war directing me to press the subject. The pressure now of domestic affairs is, I think, a little subsiding, & the treaty of Zurich being signed relieves, at least pro tanto, the foreign office. A Congress is in contemplation & generally agreed upon; but not so settled that England may not yet decline to be represented. The policy of France is to secure the sanction of England to a settlement which she does not approve, & which no English statesman dares to be responsible for. The fate of Castlereagh & the Treaties of 1815 are still fresh in the memories of both Russell & Palmerston.

The feeling of hostility so general in France against England is mainly engendered by the constant efforts of the English to thwart the Napoleonic Policy in

Italy. Victor Emmanuel would be an easy subject in the hands of the French Emperor, if he were not supported by suggestions from the English. In fact, England would like above all things to see Central Italy united under the sway of Victor Emmanuel, because it would displease France & strengthen British influence. But England is not willing to do this at the expense of the French alliance, though coming as near it as she dare approach. Prussia, under English dictation, has been trying to conciliate Russia; & England is acting with a view to the contingency of a war with France, which may happen. France intends to coerce England into an approval of her policy, or to go to war.

The Austrian Government has determined, beyond all doubt, to grant liberal reforms, but is still at a loss to know what to do; the fear of conceding too much deters it from granting what they know would be regarded as too little by the people; & hence delay. The people, while they will be satisfied with nothing but substantial reforms, are disinclined to revolution for fear of reënacting the scenes of 1848, & hence prefer so far peaceful agitation. The condition of the finances will compel action, & I am satisfied some good reform will be made, though not equal to the wishes of the people. Religious toleration is progressing, & a disposition is shown to act fairly in the matter.

Austria is at present almost isolated in Europe, & this will induce her perhaps to fall into the arms of France, which alone at present courts her.

There never was a better time, in my judgment, for our government to effectually assert its rights with

England than the present, for she has now Prussia alone for a friend, & she knows that Russia & France would rejoice to see her embroiled with us. Not only is this the time to assert rights, but any modification of international law could now be pressed on England with great advantage. The assent of France will carry Austria. Russia is always favourably inclined towards us, & England could now be pressed to a decision with great effect—the forthcoming Congress, too, is a very appropriate time & place.

I have the honour to be,

Very respectfully,

Your obedient servant,

J. Glancy Jones.

Honorable Lewis Cass, *Secretary of State*,
Washington.

MR. JONES TO SECRETARY CASS.

No. 9. Legation of the United States,
Vienna, December 24th, 1859.

Sir:

Your despatch No. 5, dated Novr. 12th, 1859, is duly received, & I am pleased to learn by it that my course of conduct with the foreign office relative to the question of neutral rights meets your approval. In my despatch No. 8, dated 21st Nov. 1859, not received by you at the date of your No. 5, I informed you more fully of what I had done, and which I am happy to know is consistent with the tenor of your last communication.

Immediately on the receipt of your despatch No. 5, I called on Count Rechberg, & reiterated all that I had said before, accompanied with the remark that what I had, on former occasions, stated was approved by my government, & that I would not press for any reply, but content myself with urging upon the Austrian government the consideration of the importance of an early modification of the maritime code—a point which I reassured him was deemed of importance not only to my own government, but to all the maritime powers of Europe. I said that I thought the present a favourable time for bringing the whole subject under the purview of European diplomacy, but that I would wait his pleasure to confer with me on the subject & also as to the manner of treating it.

He replied that he had considered it carefully, & conferred with the other European Powers represented at Vienna. He was convinced that the course suggested by my Government was clearly to the interest of Austria; & that all the minor powers concurred with him fully in this opinion as to their respective governments. He was of opinion that Prussia & Russia would favour the movement; of France he could say nothing, as she was not represented yet at Vienna; but he anticipated no objection of a serious character from any power except that of Great Britain—that Government he thought would be decidedly adverse; but he was convinced, if she would yield to any power, it would be to our government. He added that Austria had suffered much in her shipping interests during the last war, & that she was anxious to guard against a repetition of these depreda-

tions in the future, as she was conscious she could not expect to contend successfully with the maritime powers on the ocean. I informed him that my government was well aware of the influence she might bring to bear on Great Britain in the adjustment of the question of neutral rights, blockades, contraband of war, &c., &c., on account of our growing commercial importance, increasing maritime power, and her dependence upon us for raw material for her heavy manufacturing interest; & that I was fully apprized of the real source of the four points agreed to and settled at the Paris conference by the Powers there represented—that the motive for coupling with three unobjectionable points a fourth (abolishing privateering), and declaring the four points to be indivisible, was too transparent to mislead any one. It certainly was not calculated to embarrass a power which would maintain, in peace & war, at any expense, an armed force on the ocean sufficient to assert supremacy; nor could it embarrass any other power whose mercantile marine added to its armed force by privateering could not, thus combined, meet a large power on the ocean on equal terms. I remarked further that I regarded the acts of the Paris Conference on this subject as a sort of paper blockade upon all further negotiation or modification of a code known to be far in arrears of the progressive spirit & advanced civilization of the age; that the object of my government was to reopen the subject, or, at least, more clearly define some of the provisions of that code; that I was happy to learn from him that nearly all the European governments were ready to coöperate with us in this commendable undertaking, & that the in-

divisibility of the four points might not prevent further negotiation; that I was also happy to hear such an acknowledgment made by these Powers of our Maritime strength & of the humanity & justness of our motives. Count Rechberg added that we were strong as a naval power, even if we abandoned the right of privateering; that he intended to confer with the new Ambassador of France (now daily expected) on the subject; that he would represent Austria himself in the Congress about to assemble early in January next at Paris, for at least a portion of the time of its session, & that although the Powers there to be represented had already agreed to a restriction upon the questions there to be discussed, which would exclude this one of neutral rights, &c.—that this exclusion would only extend to the Council Chamber in its formal sittings, & that he would introduce it informally himself in their familiar conversation, & inform me fully of the progress made. I thanked him then & took my leave.

My knowledge of Austrian affairs & European politics generally confirms me in the opinion that if the United States desire earnestly, as I do not doubt they do, to effect such a modification of International Law relating to maritime affairs as is set forth with so much ability & clearness in your despatch to Hon. J. Y. Mason of June 27, 1859, No. 190, that they can safely rely at this time upon the cordial coöperation of all, or nearly all, the continental Powers of Europe; but I believe the true, if not the only, mode of reaching it is by a Congress of Nations. England will always avail herself in the adjustment of other great questions in European Congresses of the opportunity to exact

stipulations from the Continental Powers calculated to strengthen her naval supremacy. This mode of action makes us impotent to effect any thing, moving single-handed & in detail, by conventional arrangements with such powers as may feel disposed to treat with us, while she acts upon the Collective Powers of the World in a Congress of Nations, now almost, by its frequency, become a regular institution, & from the sessions of which we are excluded by our policy of non-intervention. These bodies being professedly European & having professedly in view European interests alone, it is but meet & proper that we should there be unrepresented. But all experience shows that these bodies do not confine their jurisdiction to the subjects properly before them, but actually enter into combinations to settle principles of international law in which all the Maritime Powers of the World are interested. Against this course of procedure, our government thus far has contented itself with protesting; but while the protests are forgotten, the European Powers proceed with the consolidation of those fundamental laws which are to govern all countries, ourselves included, or isolate us from the family of Nations. I suggest, most respectfully, then, that our government lead the way & propose, as a great Maritime Power, a Congress of Nations, not European, but of all the Powers represented at Washington, or who have Commercial interests, the jurisdiction to be confined to maritime law, & with powers only to restrict, retrench, & modify its provisions, but not to enlarge its area or add to its dogmas. I am thoroughly convinced that this movement would be seconded by three fourths of the civilized Nations of the world,

even to the extent of abolishing contraband altogether & making private property of belligerents on their own unarmed ships as free as on those of neutrals. Spain, Russia, Holland, France, &c., have shown their sympathies at as early a period as our revolutionary history; & our conventional arrangements in America with Brazil, Chile, Venezuela, Ecuador, New Granada, Guatemala, San Salvador, Peru, & Mexico, and others in Europe, referred to in your despatch, show the feelings of these nations. Recent demonstrations at Bremen, ridiculed in the London "Times" of Dec. 10th, show the feeling there. See also the "Times" of the 17th Dec. The pamphlet of Émile Girardin, reviewed in the London "Times" of the 13th Dec., illustrates & sustains this position—all that is wanting is a leader. The moral effect of such a motion on the part of our government would be prodigious all over Europe; because while it is perfectly consistent with the settled policy of our country since the days of Washington of not intervening in the local politics of Europe, or forming entangling alliances with other powers, it will be a just & bold assertion that we will intervene & have a voice in the deliberations of any body which may attempt to settle organic laws which are to govern the world—more particularly in Maritime affairs, the ocean being emphatically the highway of Nations. This moral effect also would be immensely enhanced by the open declaration of our policy & motives. We ask for nothing selfish, but simply for that which is for the benefit of the whole human race —the melioration of the evils of war—a mission of which our country could well be proud before the world. I press upon your consideration prompt

action in this matter, & I hope I may be excused for saying that as the head of our government & the head of the State Department are both well known in the circles of Europe for their diplomatic learning & ability, it would add to the effect to have it come from this administration—a measure which would reflect honour upon any administration.

If this step should be taken, I believe Austria is the place to begin. With England we never can *begin*, nor will she be the first to assent. France cannot lead in Europe without giving mortal offence to the acute sensibilities of England, just now so full of evil apprehensions; while she would be pleased to follow a lead which, though not intended by us, would be in effect so much in the line of her well known policy, weakening the naval dominion of England. Prussia is too nearly allied to England, & Russia is isolated in her influence; while Austria has still her prestige of being the centre of diplomacy, wields almost absolute influence over all the minor powers of Germany, & just now even with France has influence, is smarting under her misfortunes at sea during the last war, & is ambitious to reach England (who refused to her aid & comfort on the sea) by weakening her in her stronghold of war.

I believe a Congress such as I have indicated can be obtained, & that it would result in the settlement of a code such as you have urged in your despatch. If one or two powers should hold off for a while, the moral judgment of the world would soon force their acquiescence. England, the most reluctant to yield, is most subject to public opinion. Her commercial & manufacturing interests would direct public opinion

to the morality & justice of a policy which exempts all private property in unarmed vessels from capture at sea, settles forever the question of the right of search by abolishing contraband of war, & narrows down & humanizes the issues of war to the armed squadrons of the belligerents; & this public opinion would control the government. This principle once adopted, privateering becomes, *ipso facto*, of no avail, since the spoils of confiscated property are the only food it lives on; but it would bring us to the volunteer system adopted under our constitution in land warfare, & which is so congenial to our institutions—where instead of calling for volunteers to fight the battles of our country, with a license to plunder & pay themselves out of the spoils of the victory, we enroll them under the national banner & pay them out of the common treasury. So in Naval Affairs; squadrons of our Mercantile Marine could be mustered into the service & regularly commissioned to do battle at the expense of the government. I need hardly add that, aside from the morality of the thing, the Country would be much the gainer by it, as the increased expense to the government would be far more than overbalanced by the gain to our carrying trade & the saving of cargoes liable now to capture, &c., &c. I have conversed with Americans here who are well posted in Commercial affairs & who inform me that such a movement would be hailed by the civilized world; if it even failed now, the moral effect of the effort on the part of our government would enure immensely to our advantage & to the ultimate triumph of the rights of the seas.

Under my present instructions, I consider it my duty to press the matter on Austria, & through Aus-

tria on all other powers reachable. If they should suggest the propriety of a Congress, for without further instruction I shall not do so, I will inform you & urge you to act in accordance with their views; though I would much prefer to see our country lead in the suggestion. The indivisibility of the four points, as declared by the seven European Powers at Paris, has already almost closed the door against all further negotiation on the subject matter of these Points, either by separate negotiation or by Congresses composed of these powers alone. The attributes of their sovereignty pro tanto seem by this Act to be surrendered. A Congress of Nations is the only tribunal left open by this declaration in which these powers have not parted with their freedom of action. Here we must meet them at last, or meet them never—delay to us is dangerous, if not fatal. In the meantime they will combine all the European Powers in giving constructions to Maritime law which we are bound to resist, & by delay we may find ourselves at issue with the combined Powers of Europe.

I have suggested Austria as the proper Power to begin with & given the reasons therefor. Offence might have been taken if a movement of this kind on our part were begun with a non-maritime Power, without first at least consulting the leading Maritime Powers. But our Government has fully complied with this formula, by submitting the whole question through her representative at every Court, discussing all the points at full length, & earnestly soliciting their adherence & coöperation. This was done by your predecessor, Mr. Marcy, in response to the despatch of Count Sartiges submitting the propositions

of the Paris Conference of April, 1856. No attention was paid to the Circular letter of Mr. Marcy, although it is pretty well known that six of these Powers had no objection to its terms if it had been originally submitted for their action. In fact, the seven Powers have pledged themselves not to negotiate separately except upon the basis of the four points taken indivisibly. This did not deter these powers, however, from negotiating among themselves with a view to enlarge the contraband of war, including coal, under its interdict. Although this was not effected for want of time, yet no one of these governments ever questioned their own jurisdictions without consulting us. It was not until it was ascertained that England could not be relied on that Austria called on me for the opinion of our government relative to the seizure of Merchant vessels & treating the unarmed men on board as prisoners of war, & has followed it up by showing an unusual anxiety to coöperate with us in reforming the marine code.

Again, your despatch, No. 190, to Mr. Mason has, with great perspicuity, submitted to all the powers these same questions. The Maritime Powers will continue to shelter themselves under the Paris Conference—disqualifying them to negotiate except upon conditions repulsive to us—& still reserving to themselves the right to act whenever it may suit their mutual interests to do so. This fact (together with those succinctly stated in your despatch), that no uniformity can ever be arrived at by separate commercial treaties with different powers, not only clearly demonstrates the necessity of a general Congress, but also precludes any one or more of the Maritime powers

from taking offence at the initiative of any one of the less Maritime Powers in Europe. Besides, my suggestion to begin with Austria does not mean to exclude any one, as all will be invited alike to the Congress, if it is determined upon. It is only purposed to begin with Austria, & through her, as the best channel, to prepare the way for such a Congress, & to learn from her what success the proposal would meet with in Europe, if formally suggested by the United States —to ascertain & report this, too, before our government decides upon asking for it. This is what I mean by beginning with Austria; & I have so begun under my instructions (except as to naming a Congress)— the first being to ascertain how many & what nations will coöperate with us in the proposed modifications; & secondly, how it is to be done; & if they suggest a Congress, to relieve them from the embarrassment of the Paris declaration, then, whether they wish the proposal to come from our government, & if she consents to make it, then, how many & what nations would concur in the proposition & send representatives.

In my first interview with Count Rechberg I saw the embarrassment of this Paris declaration, which I think they regret now, & so I wrote that I thought nothing could be done without opening the whole subject, on which, if I was to proceed, I needed further instructions.

In addition to the good results of the direct action of such a Congress, we would have a precedent established that jurisdiction over this subject can only be recognized in a general Congress of all the Powers, negative the jurisdiction of a European Congress, &

put it beyond the power of belligerents to modify or enlarge, ad libitum, the international law.

If any Power should decline to be represented in such a Congress, we will have the benefit of an issue before the civilized world that such Power means to exclude us & other Nations from a voice in the adjustment of that law which concerns the whole civilized world. The sooner we have that issue the better, if it is to come, as our cause would be just & our objects humane. The voice of the civilized world would be in our favour & we should be sure to triumph.

Before closing it is proper I should add that Mr. Marcy by direction of our government having submitted a proposition, we cannot object to its consideration now by the Congress of Paris to meet in January next; but if that body should decline to consider it, or reject it, then I hope our government will never again submit any proposition on so general a question to so partial a body, but demand a general Congress—and for these reasons: 1st. Because England, in yielding to us the right of search, has reserved the question of fixing some mode of ascertaining the Nationality of vessels at sea, & invites us to make a proposition on the subject. 2d. Because the leading Maritime powers have abolished privateering without our concurrence, & have not assented to our proposition to exempt the private property of belligerents from capture under enemies' flag—two points deemed inseparable by us. And 3d. Because a disposition is shown in Europe to enlarge the area of Contraband of War by belligerents themselves, or by a Congress whose jurisdiction we cannot recognize. If my judgment is worth anything, all attempts to effect thorough reforms in the Mari-

time Code will prove abortive, if we continue the policy of beginning with the first Maritime Powers of Europe. They are the last to make concessions, never the first to propose or to assent to them. All experience proves this. Austria, Russia, & Prussia should be first looked to to follow our lead, & France & England the last to give their acquiescence—& even this, as experience teaches us, will not avail without a Congress. I may repeat here that I know that France (while she likes to *lead* in most matters) in this would prefer to *follow*.

If such a Congress ever takes place, it ought to be held in some central European Capital of a non- (or minor) Maritime power, such as Dresden, Munich, Stuttgart, &c.

The visit last summer of the Flag Ship Wabash to the waters of the Adriatic produced a very good effect, & I would suggest that the Commodore be instructed again next summer to touch among other places at Venice & Trieste, particularly with the new gun-boat.

Great disquiet exists here at present. The intelligent & conservative masses are very much discontented. A revolution is dreaded by them, however, as much as by the government, as they only know the fruits of revolution by the bastard attempt of 1848, which endangered all security to property & produced anarchy alone. The retirement of Count Buol to Rome, & Hübner to Venice, & of Ferdinand Max, the Emperor's next eldest brother, to Madeira, creates an impression that a change of policy may be effected by a change, not of dynasty, but by calling another member of the family to the Throne, who will represent an

entirely different policy. But this may never happen, or if it does, it may be remote. I speak only of the impression.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State*,
Washington.

MR. JONES TO SECRETARY CASS.

No. 10. Legation of the United States,
Vienna, January 30th, 1860.

Sir:

I have forwarded to the Department, through the United States Consul at Bremen, a package containing: (1) a statistical view of the population, &c., of Austria, according to the Census of 1857, (2) a statement of the Foreign Commerce of Austria for 1857, (3) communications from the Bureau of Statistics, 7th volume, 2d & 3d parts, & (4) statistical tables of the Monarchy, 2d vol., 1st & 8th parts. These documents are presented to our Government by that of Austria, & are in continuation of series, the preceding numbers of which have already been forwarded.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Honble. Lewis Cass,
Secretary of State.

MR. JONES TO SECRETARY CASS.

No. 11. LEGATION OF THE UNITED STATES,
VIENNA, March 12th, 1860.

SIR:

My despatch No. 9, dated Dec. 24, 1859, was written on the eve of a contemplated European Congress, in which it was supposed by many the question of a modification of maritime law might be considered. Since that time the public mind of Europe has been in a constant state of fluctuation, ever approaching some definite result & yet never reaching it. No special event of importance occurring, I have delayed writing from time to time, expecting weekly to have something definite to say on subjects which might be of interest to our government, & in the shaping of which Austria might act a conspicuous part. I am sorry to say, however, that the adjustment of European complications just now appears to be farther removed than ever. The opinion is becoming daily more prevalent that France having disturbed the equilibrium of Europe by throwing her sword into the scale, that equilibrium can only be restored by the sword. On this subject I ventured in my first despatch the opinion that France had more at heart the exclusion of Austrian & the substitution of French influence in Italy than the independence and unity of Italy itself. Events have only tended to confirm me in this opinion; but the Italians themselves have shown a spirit & zeal for nationality not anticipated, & their own perseverance is likely to end against the policy of France, in at least forming a good nucleus for future progress in the annexation of Parma, Mo-

dena, & Lombardy to Sardinia. This is not the work of France, save Lombardy, but of the Italians themselves.

In the meantime, as all idea of a congress has vanished, the question of maritime rights has been forgotten, except among the commercial classes of Germany, England, & even of New York. I took occasion to speak freely to my colleagues on this subject, always accompanied with the declaration that I had no instructions & was acting unofficially, but was anxious to learn, as far as it was compatible with their views of official propriety, the views of their respective governments. The response was frank, and even eagerly given, Russia, Sweden, Denmark, Spain, & many of the minor powers stating that it would be hailed with joy if our government would make itself felt in the settlement of maritime law. The English Minister, Lord Loftus, made a formal inquiry of Count Rechberg as to the designs of Austria, which was answered by informing him that no proposition had been made by the American government yet, but that if the American government ever should propose to Austria the alternative of privateering or immunity of goods upon the ocean, Austria would cheerfully unite with that government, believing it to be her interest to do so. Lord Loftus informed me that he had made it the subject of a despatch to his government to which he had received a very prompt & emphatic reply, &c. The effect of all this has been very good, even if it rests here. England learns for the first time that if she can succeed in combining all the European powers against privateering to the extent also of closing their ports against our privateers in

time of war, treating them as pirates, or at least as outlaws, entitled to no hospitality or comity, that our government, if it pleases to exercise it, has always in reserve a step which will draw all these powers to its side, & cripple immensely the dominion of England on the ocean & her consequence in the family of nations; for her power in Europe lies in this magic wand. The fearful annihilation of their commerce, in the event of hostilities, causes many a reluctant power to bow to England's counsels. England has also learned, perhaps not for the first time, that if we deem it expedient, it is not inconsistent with our policy to be heard in a maritime Congress, & that if we lead the way every other maritime power in Europe will follow & acknowledge the jurisdiction of such a body. These facts alone may, when known to England, induce her to abandon all further steps on the subject, & if so we can afford to rest for the present also, at least until further steps are taken adversely to our interests. All that I have ventured to say in my former despatch as to our policy of abandoning privateering was based upon the progressive combination of other nations to render privateering impotent & odious, as far as they have power so to do. As our government is not aggressive, it needs not to hold in terrorism over the heads of other nations a threatened destruction of their private property on the ocean in order to coerce them to terms, & can therefore afford to yield privateering simultaneously with the immunity of goods. If this combination is abandoned, we can afford to rest in statu quo with safety. Still, I am fully satisfied that the commercial & manufacturing world will in less than twenty years demand this exemption,

seconded by the producers of raw materials such as cotton. It is a policy founded by *great* maritime powers alone, never by the common consent of all, or *of the weaker*, on principles of humanity & general justice. It is abandoned on land, & not now maintained upon any other ground than that of recognized law in the jus gentium, & its continuance is advocated by those powers alone who either are now or expect to be great in maritime strength. It is wise, therefore, for a great nation whose policy is founded on equal & exact justice to all to indicate beforehand a course consistent with its dictates whenever the contingency may arise, & preserve its reputation in advance from being placed in a false position in the eyes of the civilized world.

All eyes in Austria have been eagerly turned for some time to the coming promised constitution, which has just been published. It turns out to be no constitution at all, however, but rather a patent—an enlargement only of the counselling power of the Empire. Of course it is not satisfactory to those who were sanguine; but the conservative men are disposed to regard it as not so very bad a beginning, although promising nothing very tangible at present. It recognizes a right to be heard, based on suffrage, the details of which are yet to be adjusted, & which they hope they may be enabled to enlarge from time to time as in England, & convert that which is now an advising into at least a coördinate legislative body. A translated copy of this Patent is enclosed.

Your despatch No. 6, 25th Nov. 1859, accompanying a copy of the report of the proceedings of the national Quarantine & Sanitary Association at its third

meeting, held in April last, has been duly received & presented by me to the Austrian government, as I was instructed to do, with the request that this government would reciprocate.

Your despatch No. 7, 1st Feby., 1860, relative to the case of Wm. Madarász, an Hungarian, has also been received, &, as instructed, I have addressed a communication to the Minister of Foreign Affairs, Count Rechberg, a copy of which is herewith enclosed. As yet no reply has been returned to it.

Very respectfully,

Your obedient servant,

J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State.*

[*Enclosure in Despatch No.* 11.—*Translation.*]

Patent of March 5, 1860.

We, Franz Josef the first, by the grace of God Emperor of Austria, &c., &c., have resolved to increase our Reichsrath by extraordinary members whom we shall periodically convene, the Reichsrath itself continuing to exist on the basis of our Patent of the 13th of April, 1851, & of our rescript of the 20th August, 1851. To this end, after hearing of our Ministers & of our Reichsrath, we ordain as follows:

§1. As extraordinary members to attend these periodical consultations, we shall appoint

1. Archdukes of our Imperial house.
2. Some of the higher dignitaries of the Church.
3. Men who have distinguished themselves in our Civil and Military service or in other ways.

4. 38 members of the representative bodies of the country—to wit:

6 from the Kingdom of Hungary.
3 " " " Bohemia.
2 " " " Lombardo-Venetia.
1 " " " Dalmatia.
2 " " " Slavonia & Croatia.
3 " " " Galicia, Lodomeria, & the Grand Duchy of Krakau.
2 " " Archduchy of Austria below the Enns.
1 " " Same above the Enns.
1 " " Duchy of Salzburg.
1 " " Archduchy of Styria.
1 " " Duchy of Carinthia.
1 " " Duchy of Krain.
1 " " Duchy of Bukowina.
3 " " Grand Principality of Transylvania.
2 " " Earldom of Moravia.
1 " " Duchy of Silesia.
2 " " Principality of Tyrol.
1 " Vorarlberg.
1 " the Earldom of Istria, with those of Görz & Gradisca.
1 " the Imperial City of Trieste & its territory, and
2 " the Servian Woiwodschaft and the Temesvar Banat.

The representative bodies in these Crown Lands will choose for each one of the appointments to be thus made three of their number & propose them to us.

The extraordinary members of the Reichsrath, designated in 1, 2, & 3, will be appointed for life. Those designated in 4 will be chosen for six years. After this term is over, they are not, however, excluded from reëlection. If during his six years term of office a member dies or loses the personal qualifications for membership of the representative body which proposed him, or is permanently prevented from taking part in the deliberations of the enlarged Reichsrath, we will appoint from the names already proposed to us a substitute for the remainder of the six years terms.

In reference to the elections to be held by the Representative bodies for the enlarged Reichsrath, we shall issue special regulations.

§2. The enlarged Reichsrath will be convened by us periodically to deliberate upon the matters referred to it in the following paragraphs.

§3. The enlarged Reichsrath will have to consider: (1) The determination of the Budget, the examination of the balance sheet of the State, the plans of the Committee on the public debt. (2) All the more important projects in regard to legislation. (3) The propositions of the representative bodies.

We reserve to ourselves, also, the right to refer other matters to the consideration of the enlarged Reichsrath.

§4. The enlarged Reichsrath cannot take the initiative in making projects of law or ordinances. Should it, however, in considering a project referred to it find occasion to point out wants, defects, or requirements in the legislation concerned, it is called upon to bring them to notice at the time that it lays its opinions before us.

§5. The members of our permanent Reichsrath have seats & votes in the deliberations of the enlarged Reichsrath.

§6. Our ministers & the heads of our central offices are entitled to take part in all the deliberations of the enlarged Reichsrath & to maintain their propositions in person or by a delegate.

§7. Matters other than those designated in §§3 & 4 upon which we decide to consult our Reichsrath are to be treated as heretofore in the prescribed manner by the permanent members of the same.

§8. We reserve to ourselves the right to issue an order of business for the enlarged Reichsrath.

§9. The Extraordinary members of the Reichsrath will have as such no payment from the State Treasury.

§10. All the determinations of our Patent of the 13th of April, 1851, in respect to the Reichsrath, which are not set aside by the present patent, remain in force, with the exception of those contained in §§13, 16, 17, & 37, referring to the temporary participants.

Given in our Capitol and Residence, city of Vienna, this 5th of March, 1860, & of our reign the 12th year.

[*Note.*]

An Imperial Ordinance of the same date provides that as soon as the representative bodies in the various provinces are created and constituted they shall proceed to the elections designated in the Patent. Until then, the Emperor will himself appoint men, in the number (38) above mentioned, from the several Crown Lands, to attend the deliberations of the enlarged Reichsrath.

The Reichsrath thus constituted will meet in the month of May of this year (day to be hereafter designated), in order to examine the budget for 1861.

[*Enclosure in Despatch No.* 11.—*Copy.*]

MR. JONES TO COUNT RECHBERG.

LEGATION OF THE UNITED STATES,
VIENNA, February 29th, 1860.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, has been instructed by his Government to use his good offices unofficially with the Imperial Royal Ministry of Foreign Affairs in the following case:

William Madarász, a Hungarian by birth, emigrated to the United States in the year 1851, and settled in the state of Iowa, where he was married in 1853. In 1855 he returned to Hungary, leaving his wife behind him, with the avowed purpose of arranging his private affairs there, with a view to a permanent residence in the United States, he having, as is alleged, already taken the necessary preliminary steps to become a citizen of the United States. He is still in Hungary, where he is detained, as is alleged, against his will, not having permission to quit the dominions of Austria.

The Undersigned is not yet fully informed as to the merits of the case, but is of opinion that upon present information he has no right to make any demand in the premises; and hence, relying upon the well known relations now so happily subsisting between the government of the United States and the government of

His Imperial Majesty of Austria, he addresses himself solely to the humane consideration of the Imperial Minister for Foreign Affairs, with the confident belief that unless some formidable obstacle unknown to the Undersigned, and not supposed by him to exist, intervenes, the government of His Imperial Majesty will in the same spirit facilitate the restoration of Mr. Madarász to his family in the United States.

The Undersigned avails himself of this occasion to renew to His Excellency Count Rechberg, Imperial Minister of Foreign Affairs, the assurance of his perfect consideration.

(Signed) J. Glancy Jones.

His Excellency Count Rechberg,
Imperial Royal Minister of Foreign Affairs.

MR. JONES TO SECRETARY CASS.

No. 12. Legation of the United States,
Vienna, April 30th, 1860.

Sir:

Your despatch No. 8, with notice that a box of books has been sent to this Legation, has been received.

I transmit, herewith, two documents—one a translation of the Protest of the Duke of Modena which his diplomatic representative here has presented to the Legation, the other a copy of a note received from the Imperial Ministry of Foreign Affairs accompanying publications on the subject of Quarantine in Austria, for the use of the National Sanitary Association, which were asked for by me in accordance with your

despatch No. 6. The publications themselves were forwarded yesterday to the Department through the Consul at Bremen.

Since my last despatch, of March 12th, an effort has been made to relieve the finances of the Empire by procuring a loan, but it has not yet been successful. Great and systematic frauds on the Government have been discovered. Baron Bruck, the Finance Minister, was supposed to be implicated, & was temporarily dismissed by the Emperor on the 22nd of April, in the evening. On the next morning he was found in his blood in bed, & an inquest discovered that the throat & wrists were cut by his own hand. This only confirms the suspicion that he was implicated. There will result an effort to put the financial affairs of the Empire on a better footing, & as this can only be done by reorganization, it is already announced that the policy of 1848 is to be modified. Hungary is to have her local & municipal jurisdiction once more restored. The supervision of the finances is to be so constituted as to secure confidence, &c. There is no doubt of the resources of Austria; her liabilities are not beyond her reach; but no stability can be secured, no credit restored, until the political disquietude of the country is calmed and confidence renewed in the management of public affairs. All this is now promised, & time will tell the result.

The Archduke Albrecht has resigned, & General Benedek is Governor of Hungary. He is a Hungarian & popular; but he of course goes to Hungary to obey orders & carry out a policy conceived in Vienna, & whether he can adapt it to the present wishes & wants of Hungary cannot be told. Hungary is very distrustful. She does not desire revolution; indeed, she

has very little to hope from it at present, while the revolutionary spirit is quiet in France & Germany & she is hemmed in and surrounded by Austria, Russia, & Turkey. While the policy of the French Government seeks alliances with absolutism in Russia & Austria, & England gives daily notice that sympathy is all she can offer, & that fight she will not except in self defence, it would be in vain for Hungary to hope from revolutionary remedies. She relies, therefore, on peaceful agitation, masterly inactivity, which at least works well enough to bring out fair promises, & she, in turn, replies that she will suspend judgment until these promises are fulfilled.

I learned recently, indirectly, that the Consulate at Venice was vacant—Mr. Sarmiento having left without informing me of the fact, nor to whom he had entrusted the records. I have addressed a note of inquiry to Mr. Remak at Trieste, the Consul nearest to Venice, and from him have learned that the Consul selected his own deputy, a Mr. Zaccaria, & had difficulty in finding one on account of the temporary tenure of the office. The same difficulty will arise in my making an appointment. I cannot possibly secure the services of a competent officer & citizen of the United States, unless I can give him some assurance of his being continued. I therefore propose to await your instructions, unless in the meantime something should occur to require prompt action.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Honble. Lewis Cass,
Secretary of State.

[*Enclosure in Despatch No. 12.—Translation.*]

PROTEST OF THE DUKE OF MODENA.

We, Francis 5th, Archduke of Austria, Prince Royal of Hungary and of Bohemia, by the grace of God Duke of Modena, Reggio, Mirandola, Massa, Carrara, Guastalla, &c., &c., &c.

The events of the latter days of April, 1859, in the Grand Duchy of Tuscany, & the attitude of Sardinia, then become more openly hostile to us, having forced us to concentrate our troops, in withdrawing them from that part of the Duchy bordering on these two States. We protested, the 14th of May, 1859, against the iniquitous usurpation of these provinces, which the Piedmontese government immediately after the departure of our forces hastened to make.

The events of the war in Lombardy, the revolution effected in Parma, the imminence of that in the Legations, the violation by the French troops of our territory on the side of Tuscany, obliged us to withdraw, with the greater part of our forces, from the rest of our States, convinced of the impossibility of maintaining ourselves there as independent Sovereign in presence of Enemies immensely superior in number and means.

The revolutionary faction, directed & sustained in every way by the Sardinian Government, succeeded in overthrowing the Regency which we had instituted by decree, 11th June, 1859, & a Piedmontese commissary possessed himself immediately of the power & put himself at the head of the revolt. We then addressed from Villafranca, the 22d June, 1859, a second protest, in which, in exposing the spoliations committed by the government of Sardinia against our

rights of Sovereignty, we referred to the declarations already made of the nullity of the acts which any government or power not proceeding from us should originate in our States, & appealed for help to the allied & friendly Courts.

The armistice of Villafranca having put an end to hostilities between Austria and France, the belligerent powers settled the preliminaries of peace, which were then raised by the Treaty of Zurich to solemn stipulations, & as well in the first as in the second. The reëstablishment of our Sovereignty was openly & incontestably agreed to, so that our rights received thereby a clear & final sanction.

It is known to all how the French Government by its acts & interpretations prevented the possibility of our restoration, & how the Sardinian Government, though signer also of the Treaty of Zurich, continued disloyally by *its* organs & representatives, whatever may have been their name, to rule our State & assimilate it to its own.

The recent decree of annexation, which it is sought to make appear as the consequence of a vote of a supposed universal suffrage, & which in extending itself to the Amilia embraced also our States, caps the series of unjust & illegal acts by which we have been robbed of the sovereignty inherited from our ancestors & which they have exercised for many ages, a Sovereignty which, in consequence of events analogous to the present, was in the Treaty of Vienna of 1815 recognized & reintegrated in favour of our family by all Europe, happily then coalized & triumphant over the revolution. We believe, then, to fulfil a most sacred duty in protesting, as we do protest, once more

in the face of Europe, against such an act, which outrages all our rights, which is based upon violence, & which has profited by the victories of a powerful ally to obtain an aggrandizement long coveted & prepared for by means fraudulent and deceitful—against an act which is based on a principle hostile to every dynastic system—against an act which in its execution is wanting in every guarantee of good faith, having been planned, followed, and controlled by those who had excluded the vote in favour of the legitimate and preëxisting power—by those, we say, who, supported by a numerous armed force kept constantly in our states, employed deception & intimidation to the end of exercising a decisive pressure upon the popular vote.

The faithful troops who followed us upon the territory of his Maj. the Emperor of Austria, who received them in a manner so generous & hospitable—these troops, which have not ceased to preserve for us an unshakable faith; the number of distinguished persons who by their voluntary emigration protest against the change of dominion in our States; the number still greater of those who underwent imprisonment, vexations of every kind, and the loss of office, or who gave of their own accord their resignation, exposing themselves sometimes to privations rather than deny their principles or fail in their duty as faithful subjects; the abstention from all participation in the actual condition of things, by which the great majority of the higher classes in Modena & the Clergy have distinguished themselves; finally, the frequent manifestations of fidelity in the country districts, in spite of the very active surveillance & al-

though immediately suppressed, are so many proofs that this pretended universal suffrage, from which the Sardinian usurpation borrows an appearance of legality, is nothing but the result of that perfidy & that constraint which from the commencement have distinguished the conduct of the Sardinian government & its partisans.

This solemn declaration, which we make also for our successors, has chiefly the end of protesting against every infringement of our rights of sovereignty, which we derive by descent and which have been sanctioned & guaranteed by the European powers. We protest also against the spoliations incurred, against the usurpations committed, against the universal suffrage adopted or pretended for this purpose, against the damage which we have suffered & against that which we may have yet to suffer, finally against the losses & the prejudices to which, in consequence of these unjust & illegal acts, the faithful part of our subjects may be exposed.

We wish to have recourse & we claim once more the support of the powers who have guaranteed the treaties, satisfied as we are that they will never admit the right of the stronger, nor the theory of a so-called universal suffrage—for such a theory, though applied now to one of the small states (whose rights, however, are as sacred as those of the largest), may, by parity of reason, be applied to all the others, & attack thus the existence of all the monarchies of Europe.

Penetrated with the sentiment of our duty to our faithful subjects, we declare, finally, that adversities will never lead us to renounce our rights of Sovereignty over our States; and convinced that we thus discharge

the duty which Divine Providence has entrusted to us, we await the future, in the firm hope that the justice of God will put an end to the machinations of which states & peoples are the victims in assuring one day the triumph of the good cause.

(Signed) FRANCIS.

VIENNA, 22d March, 1860.

[*Enclosure in Despatch No. 12.—Translation.*]

BARON KOLLER TO MR. JONES.

VIENNA, April 22d, 1860.

The I. R. Ministry of Foreign Affairs has the honour to inform the Minister Plenipotentiary of the United States, Mr. J. Glancy Jones, in reply to his note of the 20th January, that the printed report of the proceedings of the 3d National Quarantine & Sanitary Association, held in New York last year, presented by him, as commissioned by his government, to the I. R. Government, was at once handed to the I. R. Ministry of Finance, with a request to furnish for the U. S. Government a collection of the rules & regulations referring to the subject of Quarantine in Austria.

The undersigned, returning to the Hon. Minister sincere thanks for the presentation of the said Report, has now the honour to transmit to him herewith the Austrian Quarantine laws for both land & sea frontier, together with two parts of the new system of instruction concerning the pest in animals, with the remark that the I. R. Government is now engaged in a thorough reform of its system of land Quarantine & that it designs as soon as the new Regulations shall have

obtained the supreme sanction to present a printed copy to the U. S. Government.

The undersigned avails himself of this occasion to renew to his Excellency the Minister the assurance of his perfect consideration.

For the Minister of Foreign Affairs,
the Under Secretary of State,
(Signed) KOLLER.

TO HIS EXCELLENCY, ENVOY EXTRAORDINARY, &C., &C., OF THE UNITED STATES OF AMERICA.

MR. JONES TO SECRETARY CASS.

No. 13. LEGATION OF THE UNITED STATES,
VIENNA, June 11th, 1860.

SIR:

The books mentioned in your despatch No. 4, of Oct. 3d, 1859, have just reached Vienna. They are stated in that despatch to be intended for presentation to the Austrian government. As, however, they belong to a work the volumes of which thus far have been forwarded for the use of the Legation, I am led to infer that this is really the intention of the Department in the present case, & shall therefore retain them unless otherwise directed by you.

Enclosed I have the honour to forward a translation of a Note received from the Foreign Office here in reply to a communication addressed to that office, as instructed by the Department, soliciting permission for Wm. Madarász to emigrate to the United States. It will be seen that the Austrian Government

decline giving this permission, on the ground that Mr. Madarász has become bankrupt & that proceedings are now pending against him in a court of the country.

The enlarged Reichsrath came together for the first time on the 31st ulto. The sittings are not public, &, though the government promised to give extracts from the proceedings in the official paper, it was at first intended to bind the members themselves by oath to entire secrecy. To this, however, several, particularly those from Hungary, objected so strongly that the government finally yielded, & the concession thus obtained, together with others relating to the business rules of the assembly, & the appearance of a disposition on the part of some members to maintain a certain freedom of discussion have caused the public to look with more interest upon the new institution.

The success, too, of Garibaldi in Sicily will, it is thought, make the government more yielding & dispose it to gratify, perhaps, to some extent, the desire of the people to participate in the management of public affairs.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State*,
Washington.

[*Enclosure in Despatch No.* 13.—*Translation.*]

BARON KOLLER TO MR. JONES.

The Imp. Ministry of Foreign Affairs has the honour to reply to the esteemed Note of the Legation of the United States of the 29th February that Wm. de

Madarász, a son of the (sentenced in contumaciam to be hung) insurrection's fugitive, Ladislaus Madarász, & who, in 1850, without emigration-permit, by evasion of the passport regulations, left Hungary, then went to America, & from there, towards the end of July, 1855, in a clandestine manner returned to Hungary, cannot now receive a permit to emigrate, for the reason that he has become a bankrupt & that his case is now pending before the Imp. County Court at Kaposvar.

The Undersigned uses this occasion to renew the assurance of his perfect consideration.

VIENNA, 8th May, 1860.

For the Minister of For. Affairs,
the Under Secretary of State,
(Signed) KOLLER.

THE HONBLE. LEGATION OF THE UNITED STATES.

MR. JONES TO SECRETARY CASS.

No. 14. LEGATION OF THE UNITED STATES,
VIENNA, August 6, 1860.

SIR:

Since my last despatch relative to the condition of Europe in its political complications, & in which Austria bore a conspicuous part, changes in the relations of the great powers have changed results and indicate still further changes. A few months since, the issue with England and France was hastening to a crisis; Russia, Austria, & Sardinia were gravitating into an alliance supposed to be offensive & defensive, and the

Rhine threatened to be the theatre of this fearful issue. England was left without any reasonable hope of allies, beyond Prussia & Belgium, the latter being a neutralized territory under the guarantee of all the European powers. The scene has suddenly shifted from the Rhine to Sicily & Syria. The progress of Italian unity having far outstripped the programme of the Emperor of the French in the annexation of Tuscany & the Romagna, & in direct violation of the spirit, if not the letter, of the Treaty of Villafranca & Zurich in the absorption of Parma and Modena, the Austrian government began to turn its eyes in another direction. Its opposition to this transfer of territory was not the only cause of uneasiness and distrust. The openly announced principle upon which the Sardinian government was acting & the French government intervening was more repugnant to Austrian policy than even the loss of territory. The recognition of such an expansion of the doctrine of Universal Suffrage as to enable it to change nationalities, as exhibited in Parma, Modena, Tuscany, Romagna, & even Savoy, foreshadowing, also, Sicily, Naples, & the remainder of the Roman States, was, however, not only unpalatable to Austria; Prussia, Russia, and even England, with Ireland and her Indian possessions, felt the dangerous tendency of such new ideas to their respective peculiar systems. But the minor powers of Germany took most alarm. The hint that universal suffrage as practised by France might add Saxony, Hanover, & Wurtemberg to Prussia, while it transferred the Rhenish provinces to France, led to the correspondence between the Prince Regent of Prussia & the Prince Consort of England, and ended

in the meeting at Baden, where the unity of Germany was determined upon. Austria was not represented in her sovereign or his official substitute, but she was represented by some of her friendly minor German powers, who had assurances that she was in a condition to second the motion for German unity & abandon all sympathies with France. Prussia, pressed by English influence, made liberal promises, & this led to the late conference between the Prince Regent of Prussia & the Emperor of Austria. Of course these sovereigns keep their own counsels; but enough is known to assure the world of successful results. The chief obstacle in the way of this union has always been the antagonism of the systems represented by Austria & Prussia respectively, & this antagonism has been widened lately enormously by the accession of the Prince Regent of Prussia to power, his alliance with England by the marriage of his son, & the rupture between France & Austria in Italy. So hostile had this antagonism become that Austria felt (while smarting under her defeat & the want of German material aid in Italy) strongly inclined to form an alliance offensive & defensive with France, at the expense of German unity, even to the disintegration of the Rhenish provinces. It was this state of things which alarmed England & led to the formation of her volunteer corps, in which she, undesignedly perhaps, pays so high a compliment to the example of the free States of the American Union.

The alarm of Austria (composed as she is of so many nationalities) at the progress of the doctrine of universal suffrage applied to nationalities, & its practical application in Modena & Tuscany, soon turned her to

the pursuit of new alliances. Only one obstacle stood in the way now to a cordial German unity, with the sympathies of England, & that was a change of internal policy in Austria & in Germany where her influence might prevail with minor powers. Austria has determined to take this step, & the enlarged jurisdiction of the Reichsrath, or Council of the Empire, by giving it a veto upon revenue bills & taxation, is its first fruit. This concession of the Emperor to his Council as the representatives of his people is still hampered with many reservations & exceptions; but even as it is, a great point is gained as a beginning. It will be very popular in the provinces of the Empire, because it is a concession & argues well for the future, & this particularly as reform, & not revolution, is what is sought for in Austria. At the same time, instead of being critical, England and Russia will, prompted by interest, exaggerate this change of Austrian policy far beyond its merit, in order to render the desired alliance popular with their people. Instead, therefore, of an alliance between France, Austria, Russia, & Sardinia (with most of the other European powers neutralized), & this alliance favouring the issue on the Rhine with Belgium, Prussia, and England, the prospect now is of an alliance between England & United Germany, including of course Prussia & Austria as its leaders.

Such are the developments of a few months terminating at Baden-Baden & Töplitz. The Emperor of the French cannot be surpassed in foresight, however. He clearly foresaw all this as the probable fruits of his failure to comply with his promises at Villa Franca, & prompt to divert the concentration of such formid-

able powers against France, which the Prince's private letter to Prince Albert disclosed, he almost demanded an interview at Baden-Baden with the Prince Regent. His whole policy was changed for the present by the perusal of that letter. Of this fact all the German powers were assured at Baden-Baden, and even more, to wit, that he never at any time contemplated hostilities on the Rhine.

The Syrian outrages & the Sicilian complication at once presented to the fertile genius of the French Emperor a new field of diversion. France now leads the war of intervention in Syria in behalf of oppressed Christianity; diplomatizes with Europe as to how far Garibaldi shall be allowed to go; sympathizes with the oppressed nationalities of Italy; strips the Pope of all temporal power by lending moral aid & comfort to Sardinia & Garibaldi, & French bayonets to keep all other powers from intervening; &, at the same time, challenges the gratitude of the Pope for the protection afforded to his person by French soldiers in Rome, as well as the mission of French artillery in behalf of oppressed Christianity under the iron rule of Islamism. This diversion employs the French Army (a pressing & a feverish necessity always upon military powers), feeds the cravings of love for military glory so clamorous in France, silences opposition to the home government, & justifies, together with the joint war in China, a closer cordiality with England. Savoy is to be forgotten in this new turn, and the boundary of the Rhine, as though it had never been heard of. All apprehensions therefore of war in Europe are at an end, at least until the next shifting of the scenes, which, if the Emperor of the French

lives, will be on the day which best meets the policy & convenience of France. This Sovereign exhibits great tact in avoiding issues that might be fatal, not only to his ascendancy in Europe, but also to his power in France. He is well versed in the secret springs which move the powers of Europe; he knows well when & where he can strike with safety; & he combines in his own person, beyond all doubt, the courage to strike, the caution to withhold, the foresight to realize, & the prudence to avoid threatened coming events fraught with danger to his dynasty.

My instructions enjoin upon me to keep the Department well informed upon European political complications in which the government to which I am accredited may act a part. In the absence of any official matter to communicate, I devote this despatch entirely to that branch of my duty. In all that I have written, Austria has & is now playing a conspicuous part. She is the central seat of diplomacy in Europe to-day, as much as she was in 1815. With her opened the war in Italy; with her it remained to change the whole face of Europe. By adhering to France, German unity is dissolved; the seat of war is transferred to the Rhine. France, Austria, Russia, & Sardinia on one side, England & Russia on the other, involve all Europe in war & convulse the world. On the other hand, if Austria pleases to change her internal policy, adapt herself to the progressive spirit of the age, seek alliances with kindred powers having kindred objects, she changes the balance of power in Europe & all is peace & prosperity. So nicely has the development of European nationalities adjusted her relative weight, with but little maritime strength & a very

limited commerce, standing in the rear of commercial, industrial, & political progress, she still represents the conservative & reactionary forces of Europe, a power which vibrates a chord in every corner of Europe, England not excepted. She is the chief patron of a church whose political influence is still felt, in kind if not in degree, as it has been for ages in Europe, & is not now even confined to Europe. Her age gives her prominence among the dynasties of Monarchical government, & her extensive territorial possessions, located in the centre of the continent, defended by an armed power of the first magnitude, cause her every movement to be felt & watched in Europe. She has been checked of late by her financial embarrassments, & threatened with the loss of allies by her persistent adherence to a system at war with all progress. Events in Italy in 1859 are producing, surely, though slowly, the fruit of reform—change of policy & progress.

There is no question, under any form of government of any age, which excites deeper & more permanent interest than that of taxation, and the struggle to place it under the control of those who are to bear the burdens is one by no means confined to the history of our own revolution & its causes. Even a limited concession of power on this momentous & all-pervading question by a government not given to making concessions will have great moral weight. It will in time release Austria from her financial embarrassments, bring her into alliance with progressive powers, increase her industrial wealth, extend her commerce, and strengthen her political power in the civilized world. People in Austria as well as elsewhere have learned that no steps backward can now be taken

with safety by any power, but that one step forward being taken others are sure to follow; and hence the beginning, although small, inspires confidence, not so much for what has been done as for the hope of what is almost certain to come.

As our government is wisely self-excluded from European politics, she may be at a loss to see her interest in these changes in Austria, but she will soon feel it commercially in the increase of industrial wealth under a more liberal policy, with railroads traversing the Austrian dominions from Trieste through Vienna to Hamburg & Bremen, & from Hungary through Vienna to Paris, now nearly completed, together with the increased facilities of steam navigation from the ports of Bremen, Hamburg, & Havre So also will our country feel it politically. For while we are free from all European political complications relating to dynastic boundaries, there is a question of the first magnitude in the family of nations in which we are prominently interested — a question over which, up to this period of time, European powers have assumed to exercise jurisdiction—I mean the question of maritime law. This law is the life blood of the first political power of Europe & our most formidable rival in commerce and manufactures. In case of a conflict (which it is to be hoped may never come), we can never consent that a European Congress in which we are not represented shall dictate the provisions of maritime law by which we are to be governed. And yet this will be attempted—it has indeed been already done; and although our consent has been *solicited*, thus far it is well known that all Europe will be combined, as far as possible, to *coerce*

our submission to its code, whenever it may be deemed expedient to enforce it, presenting to us at least the alternative of submission or war with all Europe united. In this point of view, Austria, together with other European powers, may become of lasting importance to our country; and now that she has taken a step towards liberal government, we can and ought to cultivate with her the most friendly relations.

The present indications are that Garibaldi will be stopped with Sicily, and Naples still be upheld as a power on condition of a liberal & constitutional government being formed; but this will only postpone the final result, which must be a united Italy.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State*,
Washington.

MR. JONES TO SECRETARY CASS.

No. 15. Legation of the United States,
Vienna, August 7, 1860.

Sir:

I have received a letter, signed J. J. Springer, dated July 20th, 1860, at Dresden, Saxony, informing me that he has been duly commissioned by the President of the United States as Consul at Dresden, & that he has applied to the Minister of Foreign Affairs for an Exequatur, which so far has not been granted him—that he has waited a long time & called often, but can

receive no satisfactory reply; furthermore, that he has sufficient reason to believe the Government at Dresden does not intend to recognize him.

Having no Minister accredited to that Court through whom he can communicate, he has applied to me, as the Minister accredited to the next adjoining country. Of course, I could only reply that I would lay the matter before the Department of State, & if you should deem it proper to commission me to Dresden in connection with Austria, as you are authorized by Act of Congress to do in the case of courts where our country is not regularly represented, I shall cheerfully undertake the mission and obey your instructions.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State*,
Washington.

MR. JONES TO SECRETARY CASS.

No. 16. Legation of the United States,
Vienna, Octr. 29th, 1860.

Sir:

My last despatch, No. 15, was confined mainly to the political condition of European Affairs, which have undergone no very material modification since that date. In Austria, however, a decisive step has been taken in the direction of reform & concession.

The Manifest issued by the Emperor on the 20th of October, on its face, would seem to make, particularly

to Hungary, all the concessions that have been asked for; and no doubt is entertained, if it turns out that these concessions have been made in the true spirit of reform (that is, from a sincere desire on the part of the government to enlarge the liberties of the people & to secure to them that participation in the legislation which the spirit of the age requires), that it will give general satisfaction. The time is too short yet since the issuing of the Manifest to enable one to judge of the impression made on the people, but so far it has developed a feeling of distrust as to the motives of the government. While the liberality of the Act is duly applauded, it is immediately followed by a conviction, not concealed or disguised, that these concessions are made only to quiet domestic discord & to enable the government more efficiently to embark in a war with Sardinia. The formidable military forces of the Empire now concentrating in Venetia, the Military appointments, & the meeting of the sovereigns of Russia, Prussia, & Austria at Warsaw, so forcibly strengthen this conviction, that a depression in the funds was immediately felt & still continues.

The result of this Conference will of course be concealed from the public; but Nations cannot stand still, and the acts of the respective governments following the conference will be scanned & watched with intense anxiety, in order to enable the public to form an opinion by drawing inferences from these acts. Austria meditates hostilities against Sardinia. She cannot renew the war, however, unless France declines to aid Sardinia—and so, again, the whole programme of the future turns upon the fiat of that mysterious power which guides the destinies of France.

An issue will be had, however, ere long, as Italy must soon reach a crisis. The Emperor of the French keeps it in studious suspense. He withdraws his minister from Turin; declares his disapproval of the invasions of Naples & the States of the Church by Sardinia; increases his military forces in Rome, apparently to arrest its further progress; assures the European powers that his sympathies are with Russia, Prussia, & Austria on this point; & yet, by every movement, he affords moral aid & comfort to Sardinia. No one in Europe believes that Sardinia would assume the hazardous responsibilities of invading two neighbouring states with which she is at peace, under protests from all the great powers of Europe, England alone excepted, unless she had secret assurances from France. The only encouragement England affords is moral sympathy, accompanied with declarations that no material aid can be had from her in any contingency. The only rational conclusion to be drawn from all this is that Napoleon wishes Naples & the Pope to be pressed out of Italy, under his nominal protest; so that France, without forfeiting the confidence of the Italians, can still lead in diplomacy as the representative of the Catholic powers in asking favourable terms. France aims at leading the reactionary powers & at the same time securing the gratitude of the parties of progress in Europe, & studiously shifts her policy so as to make herself indispensable to both, never extinguishing the hope on either side of the ultimate acquisition. Even England, through her press, urges France onward.

No one can foretell results. At present the signs of the times do not indicate revolution. Agitation for

reforms & dynastic changes by universal suffrage is the present popular panacea for political ills & grievances—& it will have its day.

Enclosed I send a copy of a communication made by me unofficially to the Foreign Office & the answer thereto in the case of Edward Seidel, an adopted citizen of the United States, also copies of a correspondence (unofficial) relating to the children of John Miller, likewise an adopted citizen of the United States.

In obedience to instructions, I addressed a Note to Baron Könneritz, the Minister of the Saxon Government at this court, in relation to the Exequatur of J. J. Springer, appointed Consul of the United States at Dresden. I have recently received a reply, informing me that the Exequatur has been issued. Copies of this correspondence are enclosed.

I enclose also a copy in translation of the Imperial Manifest above referred to.

I have also to acknowledge the receipt of a letter from the department of State, enclosing one to J. J. Springer, which I have duly forwarded to his address at Stuttgart, Wurtemberg.

Very respectfully,

Your obedient servant,

J. Glancy Jones.

Hon. Lewis Cass, *Secretary of State*,
Washington, D. C.

[*Enclosure in Despatch No. 16.—Copy.*]

MR. JONES TO COUNT RECHBERG.

LEGATION OF THE UNITED STATES,
VIENNA, August 10th, 1860.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, is requested by Edward Seidel, a native of Austria and a naturalized citizen of the United States (he, the said Seidel, having emigrated by the permission of the Austrian Government to America), to solicit of the Imperial and Royal Government permission for his return to Austria, with the view of attending to some business transactions of the last importance to himself and family. He alleges that judicial proceedings were once instituted against him in Bohemia, not of a criminal character but based upon some municipal regulation of trade, and that he is of opinion that while litigation might be instituted and prosecuted on his return by enemies who have already grievously wronged him, that the Imperial Government would, on a fair presentation of his case, grant him permission to return, and also suspend any prosecution against him for past offences of a civil and commercial, not criminal, character, and of so long standing; the charge being that he has prosecuted the business of merchant in Vienna under another name, and manufacturer in Bohemia in his own, at the same time, which is contrary to the laws of Austria, though, as he alleges, very often practised and not seriously regarded by the Government under the circumstances. He further alleges that the prosecution, if undertaken,

would be by private persons, merely with a view to injure him in his business by protracted litigation, and not with any intention of vindicating public justice.

These facts as they are presented to the consideration of the Undersigned are founded upon the statements and allegations of the said Edward Seidel himself, and presented to this Legation through the Vice-Consul of the United States at Bremen.

The Undersigned presents the case to the consideration of the Imperial Government, on the grounds of humanity—Seidel having a wife and children in Vienna—and of justice, if the facts are as he alleges, but unofficially. He trusts that the case may receive a fair and favorable consideration, and if the facts are sustained as presented, that the relief prayed for may be granted, which would be regarded as an additional indication of the continued friendly relations now so happily subsisting between the respective Governments of the United States and Austria.

The Undersigned avails himself of this occasion to renew to the Imperial Minister of Foreign Affairs the assurance of his distinguished consideration.

(Signed) J. Glancy Jones.

His Excellency Count Rechberg,
Imperial Royal Minister of Foreign Affairs.

[*Enclosure in Despatch No. 16.—Translation.*]

BARON KOLLER TO MR. JONES.

To the esteemed Promemoria of the 10th August, 1860, in which it has pleased the North American Envoy Extraordinary and Minister Plenipotentiary,

Mr. J. Glancy Jones, to intervene for a free return of a certain Edward Seidel, emigrated from Austria to America, the Imperial Foreign Ministry has the honor to communicate the following to the Minister.

According to a communication of the Imperial Ministry of Justice, the legal documents referring to this subject leave hardly a doubt that this Edward Seidel is identical with the woolen Manufacturer of the same name at Krakau, who fled the country on the 28th of March, 1852, and who, in consequence of a decree of the then district "Collegial" Court at Reichenberg of the 28th of June, 1852, is pursued with a warrant of arrest because he is under the strong suspicion of having made a fraudulent transfer of his property, 200,000 florins, to his brother Kosmas Seidel (who in company with a third brother, Karl Seidel, under the firm of C. & C. Seidel, kept a store in Vienna), and of having then fled, leaving behind debts to the amount of 200,000 florins. He has since, in the year 1855, petitioned for an examination, on condition that if he presented himself before the court, he should be left free during the trial. This request was, however, not listened to.

From this statement it appears that Edward Seidel is not pursued by the proper court merely on account of an infringement of the trade-regulations, by conducting at once a business in Vienna under another and in Bohemia under his own name, but on account of an act which by Austrian law is published as a crime of fraud with from five to ten years' severe imprisonment.

In this state of the case, the Imperial Ministry of Justice has declared itself unable to take any

measure in favor of Edward Seidel, inasmuch as to leave him unpunished on the ground of the humane considerations alleged will appear the less justified, for the reason that the injury which Edward Seidel may suffer from his continued absence from Austria, in his family and business affairs, can be ascribed only to his own guilt.

The Ministry of Foreign Affairs, regretting its inability to communicate a result answering to the wishes of the Minister, avails itself of the occasion to renew to him the expression of its perfect consideration.

VIENNA, Sepr. 5th, 1860.

For the Minister of Foreign Affairs,
the Under Secretary of State,
(Signed) BARON KOLLER.

HIS EXCELLENCY J. GLANCY JONES,
Envoy Extraordinary and Minister Plenipotentiary.

[*Enclosure in Despatch No. 16.—Copy.*]

MR. JONES TO COUNT RECHBERG.

LEGATION OF THE UNITED STATES,
VIENNA, September 3rd, 1860.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, has been urgently requested to present unofficially to the favorable consideration of the Imperial Ministry for Foreign Affairs the following case.

It appears that a person by the name of John Miller, a native of Nixdorf, Bohemia, Austria, emigrated to

the United States of America in the year 1852, and has become a duly naturalized citizen of the United States. That on his departure at Bremen in August, 1852, he and a certain Veronica Dittrich of the same place entered into articles of agreement to live together as man and wife, before the Consul of the United States at Bremen, which articles or declaration provided that the forms of marriage should be duly solemnized on their arrival in the United States. The said parties returned to Nixdorf in Bohemia in the year 1853, shortly after which the said Veronica was delivered of a son, whose name is Johann Dittrich.

The said parties continued to live as man and wife in Nixdorf, Bohemia, and in 1854 the said Veronica was delivered of another child, named Veronica. Since that time the said John Miller has returned to the United States, and the said Veronica has been delivered of another child, by another father, which, as the petition states, the Mother was charged with and convicted of having destroyed.

Said conviction took place at Prague in 1857, and the mother was sentenced to an imprisonment of five years. The children she had by the said Miller, being young, were left in the care of Joseph Miller, brother of the said John Miller. The said John Miller now desires permission of the Imperial Royal Government of Austria to remove the said children to America, where he alleges he is able and prepared to educate and maintain the said children, and if permission should be granted he will provide a suitable person to carry them to America.

He further alleges that he cannot remove the said children without the consent of the Imperial Govern-

ment of Austria, and hence solicits of the Undersigned a presentation of his case. The Undersigned entertains no doubt that if the facts as alleged are sustained, and the Imperial Government should become satisfied that it would be better to put the children under the charge of the father—the Mother being imprisoned—that such permission will be granted.

The Undersigned avails himself of this occasion to renew to His Excellency Count Rechberg, Imperial Minister of Foreign Affairs, the assurance of his distinguished consideration.

(Signed) J. Glancy Jones.

His Excellency Count Rechberg-Rothenlöwen,
Imperial Royal Minister of Foreign Affairs.

[*Enclosure in Despatch No.* 16.—*Translation.*]

BARON KOLLER TO MR. JONES.

In reply to the esteemed Note of the 3d Septr., 1860, the Imperial Ministry of Foreign Affairs has the honour to forward to the Minister of the United States of America, Mr. Glancy Jones, the "Entlass-schein" for John Miller of Nixdorf, Hainspach district, in Bohemia, with the respectful remark that no obstacle exists to the issuing of an Emigration-permit for the United States of America to his & Veronica Dittrich's two illegitimate & minor children, John & Pauline Veronica Dittrich of Nixdorf, as the consent of the guardian, the Hainspach I. R. district office, to their Emigration has been granted.

As, however, according to the report of the said

office, no one has offered to accompany these 6 & 7 year old children in their journey to America, the Minister will perhaps have the goodness to let the father, John Miller, know this; & further, that it now rests with him either to come & take his two minor children with him from their home, or, previously arranging the matter of the cost of the journey, to name a person worthy of confidence who will obligate himself, before the Authorities, to take care & charge of the said children on their journey, in which case the permission sought for to enable these children to emigrate to America will be given.

The Undersigned avails himself of this occasion to renew to the Minister the expression of his perfect consideration.

VIENNA, Octr. 20th, 1860.

For the Minister of Foreign Affairs,
the Under Secretary of State,
(Signed) KOLLER.

HIS EXCELLENCY THE ENVOY EXTRAORDINARY & MINISTER PLENIPOTENTIARY OF THE U. S. OF AMERICA, MR. GLANCY JONES.

[*Enclosure in Despatch No. 16.—Copy.*]

MR. JONES TO BARON KÖNNERITZ.

LEGATION OF THE UNITED STATES,
VIENNA, Sept. 12th, 1860.

SIR:

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America

at the Imperial Royal Court, is instructed by his Government respectfully to make some inquiries through His Excellency Baron Könneritz, the Envoy Extraordinary and Minister Plenipotentiary of the Royal Court of Saxony at Vienna, relative to the Exequatur of an American Consul recently appointed by the Government of the United States of America to reside at Dresden.

The United States' having no representative accredited to the Royal Government of Saxony accounts for the necessity of addressing said Government through the medium of its representative at this court.

It appears that Mr. J. J. Springer, a citizen of the United States, was duly commissioned as Consul for said government, to reside at Dresden, and that said Springer on arriving at Dresden duly presented his commission and respectfully asked for his Exequatur.

To this application he received no reply, and after waiting a considerable length of time and calling frequently, was still unable to obtain any answer to his communication. He then addressed the Undersigned, setting forth the facts as thus stated.

The Undersigned supposes that through some irregularity arising from the want of the usual channel of communication this matter has been overlooked, or not properly understood, and that it will only be necessary to draw the attention of the Royal Government of Saxony to the facts, in order to have the exequatur duly granted.

The Undersigned will be happy to receive any communication His Excellency Baron Könneritz, after

consulting his Government, may be pleased to make upon the subject.

The Undersigned avails himself of this occasion to assure His Excellency of his distinguished consideration.

(Signed) J. Glancy Jones.

His Excellency Baron Könneritz,
Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Saxony at Vienna.

[*Enclosure in Despatch No. 16.—Translation.*]

BARON KÖNNERITZ TO MR. JONES.

The Undersigned, Royal Saxon Envoy Extraordinary & Minister Plenipotentiary, had the honour to receive the note which his Excellency, the Envoy Extraordinary & Minister Plenipotentiary of the United States of America, Mr. Glancy Jones, was pleased to send him under date of the 12th ultimo.

The Undersigned did not fail to communicate to his Government this matter of the appointment of a Consul of the United States at Dresden, & has now the honour to acquaint respectfully his Excellency, Mr. Glancy Jones, that, according to a communication just received, his Majesty, the King of Saxony, has been pleased to grant an Exequatur to Mr. John Jacob Springer (appointed to the said post) which he required for the exercise of his functions.

The Undersigned, pleased that this affair has been arranged in accordance with the wish expressed, gladly avails himself of this occasion to assure his

Excellency, the Minister of the United States of America, of his distinguished consideration.

VIENNA, 18th Octr., 1860.

(Signed) KÖNNERITZ.

HIS EXCELLENCY THE ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA, MR. GLANCY JONES, &c., &c.

[*Enclosure in Despatch No. 16.—Translation.*]

IMPERIAL CHARTER FOR THE REGULATION OF THE INTERNAL NATIONAL AFFAIRS OF THE MONARCHY

We, Francis Joseph the First, by the Grace of God Emperor of Austria, King of Hungary, Bohemia, &c., &c.

After that our Ancestor of glorious memory, with true foresight, had endeavored to establish a definite form of inheritance in our Serene family, the order of succession finally and unchangeably fixed by his late I. R. Apostolic Majesty, Emperor Charles VI., on 19th April, 1713, came to a conclusion in the actually existing State Fundamental and Family law known under the name of the pragmatic Sanction, and accepted by the legal bodies of our various kingdoms and provinces.

On the unshakable legal basis of a definite order of succession, and of the indivisibility and inseparability of its various parts, brought into harmony with the rights and liberties of the said kingdoms and provinces, the Austrian Monarchy, since then enlarged

and strengthened through national and international treaties, has, supported and upheld by the fidelity, devotion, and valour of its people, triumphantly overcome the dangers and assaults by which it has been assailed.

In the interest of our House and our subjects, it is our duty as Sovereign to guard the national position of the Austrian Monarchy and to secure it by the guarantees of a clear and indubitably fixed legal condition and harmonious coöperation. Only such institutions and laws which answer to the inherited sense of Right, to the existing diversity of our kingdoms and provinces, and to the demands of their indivisible and inseparable union, can give these guarantees in full measure.

In consideration that the elements of common organic institutions and of harmonious coöperation have been increased and strengthened through the equality of our subjects before the law, the free exercise of religion guaranteed to all, the eligibility to office without reference to rank and birth, and the duty common to all alike of bearing arms and paying taxes, as well as through the abolition of compulsory service and of internal Tariff duties in our Monarchy; in consideration, further, that in consequence of the concentration of power in all countries of the European continent, the united control of the great ends of State has become an unavoidable necessity for the security of our Monarchy and the welfare of its various provinces, We have, in order to harmonize the diversities formerly existing between our kingdoms and provinces, and for the purpose of a practically regulated participation of our subjects in legislation and administration,

on the basis of the Pragmatic Sanction and by virtue of our Authority, found it good to determine and to ordain the following as a permanent and irrevocable fundamental law of the State for our own guidance as well as for that of our legal successors in the government:

1. The right to make, change, and abolish laws will be exercised by us and our successors only with the coöperation of the legally assembled Provincial Diets or of the Reichsrath, to which the provincial Diets will send the number of members fixed by us.

2. All subjects of legislation which refer to rights, duties, and interests common to all our Kingdoms and provinces—to wit, legislation in regard to coinage, currency, and credit; in regard to Customs and to Trade; further, in regard to the principles of banks of issue; legislation in reference to the Post, to Telegraphs, and to Railways; in reference to the mode, manner, and order of military service—shall be considered in and with the Reichsrath, and shall be determined constitutionally with its coöperation; as also the laying of new taxes and imposts, the augmentation of existing taxes and duties, especially the increase of the price of Salt, and the making of new loans, in accordance with our resolves of 17th July, 1860; likewise the conversion of Existing Loans and the sale, change, or encumbrancing of the Real property of the State shall be determined on only with the consent of the Reichsrath. Finally, the examination and passing of the projected budget for the coming year, as well as the proving of the accounts and of the result of the annual financial management, has to take place under the coöperation of the Reichsrath.

3. All other subjects of legislation which are not comprised in the foregoing points will be decided in and with the provincial Diets concerned, to wit, in the kingdoms and provinces belonging to the Hungarian Crown, according to their former constitutions, and in our other Kingdoms and provinces constitutionally in accordance with their provincial institutions. As, however, with the exception of the provinces of the Hungarian Crown, in respect also to such subjects of legislation which do not fall within the exclusive competence of the whole Reichsrath, for our other provinces, for a long series of years, a treatment and decision in common has had place, we reserve to ourselves the right to determine these subjects also, with the constitutional coöperation of the Reichsrath and with the assistance of the members of the said Reichsrath from these provinces.

A treatment in common can also take place, if it shall be denied and proposed by the respective provincial Diet in respect to such subjects as are not exclusively reserved for the Reichsrath alone.

4. This Imperial Charter shall be forthwith deposited in the provincial archives of our Kingdoms and provinces, and be introduced into the laws of each province in an authentic text, and in the language of the province. Our successors shall in like manner attach their imperial signature to the said Charter immediately on ascending the Throne, and shall issue it to each separate kingdom and province, where it shall be incorporated in the laws.

In witness whereof, we have hereto set our signature and caused our Imperial seal to be affixed, and commanded that this Charter shall be preserved in our Family, Court, and National Archives.

Given in Our Capital and Residence, Vienna, on the 20th October, one thousand eight hundred and sixty, and in the twelfth year of our government.

(Signed) FRANCIS JOSEPH.

By Supreme Command,
COUNT RECHBERG, *Freiherr v. Ransonnet.*

MR. JONES TO SECRETARY BLACK.

No. 17. LEGATION OF THE UNITED STATES,
VIENNA, January 30th, 1861.

HON. J. S. BLACK, *Secretary of State,*
Washington.

SIR:

Nothing of great political importance has taken place in Austria since my last despatch to the Department. The liberal ideas promulgated by the Patent of the Emperor of the 20th of October last assumed some practical form shortly after, in the appointment of Mr. Sehmerling as Minister of State, who is looked upon by the people as being committed to a liberal course of policy. Yet this has received the stigma of inconsistency by his followers, from the fact that Count Rechberg and his party, who are known to be committed to an entirely opposite policy, have still been retained in office, though the question of their removal has been constantly agitated by the public and the press. The latter, having grown much more free and outspoken under the apparent change of policy in the Government, takes the liberty of commenting very freely upon the acts of the Government itself.

Great discontent is expressed in the German provinces of the Empire on account of these so called concessions granted by the patents for the several provinces. They allege that great injustice has been done them; that whilst the Hungarians have never manifested the same spirit of loyalty with themselves, but have made constant resistance to the policy of the government, they have received nearly all they asked for, while loyalty and submission go unrewarded. In Hungary recent events have verified the apprehensions expressed in my last despatch, that the Imperial Government would fail to inspire the confidence and obtain the submission they had hoped for, from the effect of the Imperial patent of the 20th of October last. The same spirit that prevailed throughout Hungary before the grant of the concessions contained in that Patent have continued, without any perceptible diminution, ever since.

The conference which was held at Gran (composed of distinguished Hungarians selected by the Government, and whose duty it was made to determine upon the manner, &c., of choosing delegates to the Diet of the Kingdom, which Diet is to determine, among other things, when and where the Emperor should be crowned King of Hungary) remained in session only three days, during which they unanimously determined that the only Electoral laws they could present were those of 1848; and to these the Imperial Government has assented, with some inconsiderable modifications, and has convened the Diet to meet at Ofen on the 2nd of April next.

The Hungarians avail themselves of every opportunity to indulge in harmless demonstrations against

the Government. Thus upon a recent occasion Kossuth, Klapka, and other distinguished Hungarian refugees were elected members of the *comitat* of the respective counties of which they are natives. It is needless for me to state that these elections have been annulled in a decree of the Emperor recently published. The conciliatory spirit of the Emperor towards Hungary was further manifested a short time since upon the rendition of Count Teleki, a distinguished Hungarian refugee, by the Saxon Government, who seized him upon the occasion of a recent visit made to Dresden. The Emperor commanded him to be brought into his presence, and exacting an assurance that he would remain within the Austrian frontier and abstain henceforth from interfering in the politics of the country, he set him at liberty.

The Austrian Government, in publishing a few days since their intention of negotiating a new loan of 30,000,000 florins, publicly announced that they were compelled to do so on account of the refusal on the part of the Hungarians to pay their taxes. Matters at present stand in a very uncertain and dubious condition. All sorts of reports are circulated daily touching the course the Government intends to pursue and the result of the stand taken by the Hungarians; but as yet nothing definite is known as to the manner in which the present complications will be arranged.

Hungary is made the base of revolutionary action, also, in European politics at large. The disintegration of Venetia from Austrian rule, with a view to its accession to the Italian unity, is an earnest *desideratum* in Italy, England, and France; and the final pacification of the one will depend somewhat upon

the adjustment of the complications of the other. The success of Italian unification is still hopeful, but not so clear and definite, nor so encouraging as to its full consummation, as could be wished for. This arises from the peculiar political status which France holds at present in the European family of Nations. First, France makes the Italian question an European question; and secondly, France presents in Europe a half-way position, fluctuating between the politics respectively represented by England and Austria, at one time leaning to the one, and then to the other; and time alone can determine in which scale she will throw her influence, and perhaps her sword, or whether, by abandoning both, she may attempt to patch up for Italy a hybrid confederation, a political mosaic partaking of the character of each and every system and failing to secure the full fruition of any one of them.

The Conference of Töplitz was intended by the parties concerned to bring about a more cordial union between Austria and Prussia, the latter feeling a deep prospective interest in a United German military confederacy to protect the Rhenish frontier, the former an interest equally deep in extending the frontier of the German interests so as to embrace Hungary and Venice. Austria yields to Prussia in her strong proclivities to interfere in the Holstein and Schleswig provinces of Denmark, and Prussia is very anxious to take the field; but England, France, and Russia have given Prussia to understand that they will interfere in behalf of Denmark, and this will probably end the matter. All Europe is in trepidation. A pervading belief exists that the favorite balance of power is out

of joint, and the equilibrium of Europe—that diplomatic panacea for all ills—so sadly out of tune that the harmony of the spheres for the nonce is converted into jarring dissonance. Scheming is the order of the day; nothing is considered safe or settled, from the banks of the Euphrates to the pillars of Hercules or the Ultima Thule of Scotland, and for the first time for many years America is drawn in, and shrewd calculations are made upon contingent balances of power in American politics. These apparent domestic complications, however, are so remote, and so imperfectly understood by them, that it would not excite much remark if it were not for the visible effect produced thereby upon the money market of all Europe. So magnified has our commercial wealth become of late, and so interwoven into all the relations of European industry, that a slight derangement in New York (our commercial emporium) vibrates discordantly through every capital on this side of the water.

The Despatch of the late Secretary of State, Genl. Cass, No. 9, enclosing a copy of a note addressed by the Chevalier Hülsemann, the Austrian Minister at Washington, to the Austrian Vice-Consul at Charleston, has been duly received, and in obedience to the request therein contained I availed myself of the first convenient opportunity to communicate verbally to the Imperial Royal Ministry of Foreign Affairs the satisfaction which the course of the Chevalier Hülsemann in the matter had given to the Government at Washington. The verbal reply was, that the Austrian Government was pleased to learn that the conduct of their Minister was approved by the Government of the United States. That its approval of his

conduct had been given to Mr. Hülsemann immediately on the receipt of his despatches, with the information that if they had been previously informed, he would have been instructed to do as he had done, which fact I was requested to communicate to the American Government.

Some irregularities have arisen recently in the transaction of the business of the Consulate at Venice, growing out of the non-reception of the commission of Mr. Springer (who has informed me that the President had designated him for that position) and the subsequent withdrawal of Mr. Zaccaria, who had been left in temporary charge of the archives of the Consulate by Mr. Sarmiento, without apprizing me of it. The Foreign Office addressed a note to me, making inquiries in the premises and desiring to know whether Mr. Springer was vested with any authority from the President of the United States, and what his business and objects were in Venice. I replied that I had informal information that Mr. Springer had been designated for the Consulate at Venice by the President, and expected ere long to receive his commission. In the meantime, the Consulate being vacant and Mr. Springer being in Venice, I deemed it best to appoint him temporarily, which I have done with the assent of the Austrian Government that he shall be temporarily recognized. This appointment, on its face, is made only to hold good until a regular appointment of a Consul at Venice, made by the Government at Washington, can reach me.

Some weeks since I received two books from the Patent Office for presentation to the Austrian Government. They were duly handed over to the

Foreign Office for transmission to their respective destinations, and a copy of the note acknowledging their receipt, and returning thanks therefor, is herewith enclosed.

Copies of the correspondence above referred to, in relation to the Consulate at Venice, are also enclosed.

I have also to notify the Department of the receipt of a lengthy correspondence between the United States Consul at Munich and the Bavarian Foreign Office, and the Austrian Minister accredited to that Court, relative to the subject of visas upon American passports. I am informed by the said Consul that he has furnished a copy of this correspondence also to the State Department, and consequently a duplicate is not given here. The point insisted on by the American Consul was conceded by the Austrian Government, and its only value now is the precedent it furnishes for future similar cases which may arise.

I have the honor to acknowledge, also, the receipt of your circular letter of the 19th December, 1860, informing me that the President by and with the advice and consent of the Senate, has appointed you Secretary of State of the United States of America, and that you had entered upon the discharge of the duties thereof.

I have the honor to be,

Very Respectfully,

Your Obedient Servant,

J. Glancy Jones.

[*Enclosure in Despatch No. 17.—Translation.*]

BARON KOLLER TO MR. JONES.

VIENNA, Decr. 15th, 1860.

According to a communication of the I. R. Statthalter in Venice, Chevalier de Toggenburg, to the I. R. Central Maritime Authority at Trieste, a certain J. F. Springer has reported himself as appointed by the President of the United States of America to the North American Consulate at Venice, vacant since the departure of the Consul Sarmiento & provisionally occupied by Mr. Paul Zaccaria.

As Chevalier de Toggenburg, in the absence of any official notice on the subject, has applied here to know in how far an official recognition of Mr. Springer as Consul can be given, the Imp. Ministry of Foreign Affairs has the honour to request of the Envoy Extraordinary & Minister Plenipotentiary of the United States of North America, Mr. J. Glancy Jones, information as to the facts in reference to the appointment in question of the said person.

The Undersigned avails himself of this occasion to renew to the Hon. Minister the expression of his perfect consideration.

For the Minister of Foreign Affairs,
the Under Secretary of State,
(Signed) BR. KOLLER.

TO MR. J. GLANCY JONES,
Envoy Extraordinary & Minister Plenipotentiary of the United States of North America.

[*Enclosure in Despatch No. 17.—Copy.*]

MR. JONES TO BARON KOLLER.

LEGATION OF THE UNITED STATES,
VIENNA, December 19th, 1860.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, has the honor to acknowledge the receipt of the esteemed note of His Excellency Baron Koller, Imperial Royal Under Secretary of State, dated December 15th, 1860, giving information of the arrival at Venice of J. J. Springer, as Consul of the United States, at said port, and inquiring of the Undersigned whether said Springer is duly appointed and authorized so to act, &c., &c.

The Undersigned avails himself of the earliest moment to say, in reply, that J. J. Springer has been appointed Consul of the United States at Venice, as he has been informally notified, and in consequence of Mr. Springer's having been in Europe at the time of his appointment, it became necessary for him to inform the Government of the United States of his acceptance, and to file the necessary securities at Washington before the regular and full commission could be sent to him.

Mr. Springer has notified this Legation of his appointment, and also of the fact that he has some time since forwarded to America the necessary securities, &c. His commission is expected at this Legation very shortly, when, on its arrival, the regular application for an exequatur will be made for him by this Legation.

In the meantime, as the Consulate at Venice was vacant, it was deemed proper, and Mr. Springer was so informed, that if no objection should be made by the proper Authorities of the Imperial and Royal Government of Austria, he might take temporary charge of the Consulate under his conditional appointment, which he has, until his commission arrived and an exequatur might be applied for in the regular form.

The Undersigned avails himself of this occasion to renew to His Excellency Baron Koller the sentiments of his distinguished consideration.

(Signed) J. Glancy Jones.

His Excellency Baron Koller,
Imperial Royal Under Secretary of State.

[*Enclosure in Despatch No. 17.—Translation.*]

BARON KOLLER TO MR. JONES.

Vienna, Dec. 18th, 1860.

The Undersigned, in forwarding to their respective addresses the 2 copies of the official report on the Agriculture of the United States for 1856, presented to the Imperial Royal Geological Society and to the Imperial Royal Geographical Society at Vienna, and received along with the esteemed note of the North American Minister Plenipotentiary and Envoy Extraordinary, Mr. Glancy Jones, of the 12th inst., has the honor to express the grateful acknowledgments of the Imperial Royal Government for this valuable

gift, and uses this occasion to renew to the Hon. Minister the assurance of his perfect consideration.

For the Minister of Foreign Affairs,
The Under Secretary of State,
(Signed) Br. Koller.

To the Envoy Extraordinary and Minister Plenipotentiary of the United States of North America, Mr. Glancy Jones.

MR. JONES TO SECRETARY SEWARD.

No. 18. Legation of the United States,
Vienna, March 11th, 1861.

To the Honourable
the Secretary of State.

Sir:

In my despatch No. 16, dated October 29th, 1860, I referred to the Diploma issued by the Imperial & Royal government of Austria, said Diploma being a proclamation of the principles & measures of reform long expected by his Majesty's subjects. A few days ago, we received the supplement giving the details of the machinery, inaugurated by a grand illumination of Vienna. A copy of this latter is herewith enclosed in translation. It will be seen that, although falling far short of the expectations of the sanguine, it is nevertheless a step in advance for Austria, & presents to the more calm observers here the germ of a representative government, with freedom of debate, public proceedings, & a free press in publishing its acts. The main point gained is the clear indication of growing

popular power and the weakening & yielding of the Imperial prerogative. When the people once begin to feel their power, & realize that their rulers feel it too & respect & yield to it, the work of progress may be considered fairly begun.

The progress of Italian unity is beginning to make itself felt in Hungary & in Poland. At the same time, as is always the case at the first start, the demands of Hungary & Poland have produced a slight reaction. The non-Hungarian elements of the Austrian Empire are getting uneasy for fear that Hungary may obtain so much that they will get nothing. They are strongly inclined, therefore, to press for a constitutional government for the whole Empire, with popular representation, frequent election, & extended suffrage, & to ignore separate nationalities. This party is immensely strengthened by the concessions made already to popular power by the throne, while at the same time this form of reaction strengthens the government in withholding more liberal concessions to Hungary. The alarm occasioned by the revolutionary spirit evinced both in Hungary & Poland has led, as is generally believed, to an understanding between Prussia, Russia, & Austria, to make some concessions & then common cause against revolution in these dismembered nationalities; so that much further progress in this direction need not be looked for just now, though it will only be suspended, not suppressed.

England dreads war, because war means to her increased taxation, and France, while she is determined to see Italy through, is desirous, as far as possible, of keeping on fair terms with the conservative or reactionary powers of Europe, at least for the present, by

not intervening beyond Italy. Thus, with the exception of Italy, the progressive powers will adhere to non-intervention for the present, and Garibaldi & Kossuth alone are too weak to make much progress until time shifts the policy of these latter powers. France has determined to appeal to the people on the Italian question. The Emperor, with great foresight, & feeling sure of success, has opened the door in his legislative bodies for the formation of parties in which he will take sides. He will thus reap, in public opinion, much credit for liberal concessions to free speech & freedom of the press; while he will divide the responsibility of his Italian policy with his legislature & his people. In this movement he will challenge the sympathy of England, of Italy, & indeed of all Europe, saving where the reactionary power is in the ascendant; & even then a large minority, embracing the wealth & intelligence of the middle classes, will sympathize. The tendency of European complications is therefore to diplomacy, & not to war. While England & France will not be checked by the other powers in carrying out their Italian policy, even to the extent of absorbing Venice, if they are not too precipitate, Russia, Prussia, & Austria will be unchecked by the other powers in coercing Poland & Hungary; and these two policies, coming in conflict only in the public mind, through the medium of the press (and Europe is beginning to have a public opinion), will advance popular ideas & popular strength generally, without convulsing the powers or precipitating general revolution. This state of things may continue for years, unless one or the other element of power should obtain too sudden an ascendancy, or the equilibrium of

Europe be disturbed by passing beyond its proper area & interpolating Asiatic questions & ideas. One must speculate upon the future by the facts and realities of the present, or be silent; but the whole system is so artificial that one cannot call to his aid the organic principles of either law, philosophy, or political economy. Human passion, personal aggrandizement, dynastic influence, & physical force are, separately & combined, too potential yet in Europe to admit of a solution by any such process of reasoning.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

[*Enclosure in Despatch No. 18.—Translation.*]

FUNDAMENTAL LAWS OF THE STATE.

We, Francis Joseph the First, By the Grace of God Emperor of Austria, King of Hungary and Bohemia, &c., &c., &c.

Inasmuch as We, in our patent for the ordering of the legal relations of the Monarchy, published on the 20th of October, 1860, on the basis of the Pragmatic sanction, and in virtue of our sovereignty, have found good to decree and to order, for our own and for the guidance of our lawful successors in the Government, that the right to make, alter, and repeal laws should be exercised only with the coöperation of the Diets or of the Reichsrath, and in consideration that this right, in order to be put into operation, requires a fixed order & form for its exercise, having taken the

opinion of our council of Ministers, do hereby declare and decree and publish:

I. The law hereby annexed, relative to the formation of the Reichsrath, that is to represent the Empire, & the right secured to it in Patent of the 20th of October, 1860, to coöperate in the legislation, We hereby sanction; and grant to it further the authority of a fundamental law of the State over all our Kingdoms and Provinces.

II. With regard to our Kingdoms, Hungary, Croatia, and Slavonia, as well as our Grand principality of Transylvania, We have in pursuance of our intention to restore their former provincial Constitutions, in accordance with our above mentioned Patent, and within the limits of the same, already taken the necessary measures in our letter of the 20th of October, 1860, as therein set forth.

III. For our Kingdoms, Bohemia, Dalmatia, Galicia, and Lodomeria; for the Duchies Auschwitz and Zator, and the Grand Duchy of Cracow; for our Arch Duchies of Upper and Lower Austria; for our Duchies of Carniola and Bukowina; for our Margravate of Moravia; for our Duchy of Upper and Lower Silesia; for our Margravate of Istria, together with the Princely Counties of Göritz and Gradisca, and the City of Trieste, with its territory; and for the Province of Voralberg: We find good to issue and sanction the annexed statutes and electoral ordinances, hereby possessing for each separate Province the authority of a fundamental law of the State, with the intention of developing and reforming the rights and liberties of the faithful bodies of these Kingdoms and Provinces according to existing circumstances and necessities, and to bring them into harmony with the interests of

the entire monarchy. Since, however, the legal position of our Kingdom of Dalmatia, with our Kingdoms of Croatia and Slavonia, has not yet been definitively settled, therefore the published statute for Dalmatia cannot yet fully come into operation.

IV. In order to bring the published statute for our Duchies of Styria, Carinthia, and Salzburg, as well as our princely County of Tyrol, in due accordance with those resolutions on our part which are to be accepted as fundamental provincial ordinances, sanctioned by us this day; also, in order to secure more extended functions to the Provincial assemblies of the above mentioned countries, as we have granted to the representatives of the remaining crown lands; finally, in order to carry out equally in Styria, Carinthia, Salzburg, and Tyrol our published resolutions of the 5th of January, 1861, in regard to the right of election: We have seen fit to sanction the annexed new provincial Statutes for Styria, Carinthia, Salzburg, and Tyrol, which will extend and vary the statute already published.

V. In regard to our Lombardo-Venetian Kingdom, We have issued an order to our Minister of State to prepare and lay before us, at a suitable time, a provincial Constitution upon a similar basis, and in the meanwhile confer the right upon the Congregations of the Kingdom, as its present representative bodies, to send the appointed number of members to the Reichsrath.

VI. Inasmuch as, partly through the foregoing fundamental laws, partly through the Constitutions restored, partly through those created by means of the new laws, the foundation of the legal condition of our Monarchy is established, and in particular the representation of our peoples is arranged, and their

participation in legislation is settled: We therefore make known, by these presents, that the fundamental laws herein contained form the constitution of our Empire; and we further make known and vow not only to follow and uphold them inviolably, but we also engage our successors in the Government to follow and uphold them inviolably, and further, upon their accession to the Throne, to vow so to do, in the Manifest which they shall then publish. We hereby declare also our firm resolution to protect them against every assault, to the extent of our Imperial power, and strictly to observe that they shall be followed and upheld by every one.

VII. We ordain that this Patent shall assume the form of an Imperial Diploma, together with the fundamental laws accompanying it, and be deposited in the archives of our House, Court, and State; and further, that the fundamental law of representation, as well as the special laws for each Province, shall be deposited and preserved in the archives of our Kingdoms and Provinces.

Given in this our metropolis and residence of Vienna, on the 26th day of February, 1861, and in the 13th year of our reign.

(Signed) FRANCIS JOSEPH, m. p.

ARCHDUKE RAINER, m.p.

EXTRACTS FROM THE DETAILS OF GENERAL INTEREST ACCOMPANYING THE FOREGOING.

The Reichsrath forms the representation of the Empire, is composed of an upper and lower house, and will be convoked annually. The Princes of the

Imperial House when of age, the Chiefs of certain aristocratic families of large landed possessions, all Archbishops and Bishops of Princely rank, are members of the Upper House. The Emperor reserves also the right of making distinguished persons in the Church or in science members for life.

The Lower House will be composed of 343 members, and the members are to be elected by the Provincial Diets. The President and Vice-President of each Diet are to be chosen by the Emperor. The Government has a right to lay drafts of laws before the Reichsrath, which has also a right to bring in Bills. The sanction of the Emperor is necessary to every bill that has passed both houses, before it can become a law. An absolute majority is required in the Reichsrath to make a resolution valid, and the members must give their votes in person. The Reichsrath may be prorogued or the Lower House dissolved by the Emperor. In the latter case, a new chamber must be formed as above. The sittings of both houses are public, but on demand of the President, or 10 members, with the agreement of the house thereto, they may be held in secret.

The permanent and the enlarged Reichsrath are dissolved, and a Council of State is to be formed, known under the name of "Staatsrath." The council of State is to be composed of a President and several councillors, he to have the rank of a Minister, and to be present at the Council of Ministers, without a vote, and all shall be nominated by the Emperor. The "Staatsrath" will be composed of distinguished men from the different Provinces, and their opinion can be taken by the Emperor and his Ministers. The

number of its members, their rank and salary, &c., will be made known in a separate rescript.

The Provincial Diets are composed, 1st, of the high clerical dignitaries of each Province, by virtue of their office, 2nd, of Deputies elected by the large landed proprietors of the Province, and 3rd, of deputies chosen by the cities and towns and the rural districts. The landed proprietors, to be qualified as voters, must own estates paying in direct taxes amounts varying in the different Provinces from one hundred to two hundred and fifty florins. In the various cities, with few exceptions, persons paying direct taxes to the amount of 20, 15, and 10 florins respectively have the right of suffrage, and in the rural districts a tax of 5 florins confers the franchise, though in this case the elections are indirect.

MR. JONES TO SECRETARY SEWARD.

No. 19. LEGATION OF THE UNITED STATES,
VIENNA, April 8th, 1861.

HONORABLE WILLIAM H. SEWARD,
Secretary of State, Washington.

SIR:

Since my last despatch, No. 18, dated March 11th, 1861, I have the honor to acknowledge the receipt from the State Department of Despatch No. 11, instructing me, in the event of an application being made to this Government by Agents representing the "Confederate States" of the South for an acknowledgment of its independence or separate existence, to

use all my influence and power to prevent the same; and also your Circular note informing me officially of your appointment as Secretary of State of the United States. I shall be governed by these instructions, and will carry them out to the extent of my ability.

An application was made through me (not officially), by the Superintendent of the Assay Office of the United States at New York, for a plan and description of the process adopted here in refining gold by the Sulphuric acid process. This process has long been known to be equal in expedition and efficiency to the Nitric acid process, and with a large diminution of expense. But the fumes given out by the sulphur are so offensive and unhealthy that it had to be abandoned, until a mode of condensation of these fumes has been invented which is found to answer every purpose. I applied informally for plans, diagrams, descriptions, &c., and the government with alacrity placed the whole at my command. I have forwarded to the office at New York, this week, full diagrams &c., &c., so as to enable any mechanic versed in this line of arts to put the whole machinery in operation. The saving will be very great to the Government, on account of the great disparity of price between nitric and sulphuric acids. The application was made by me, at the request of Samuel F. Butterworth, Superintendent of the Assay Office, who is entitled to whatever credit may accrue from the introduction of this process into our Assay Offices; and although, the subject matter being unofficial, I might have passed it by here without notice, yet I deemed it, on reflection, in a scientific point of view, worthy of a place in the files of the State Department, and feeling anxious also

to make a record of the prompt cordiality with which the Imperial Government placed the whole matter at the service of my country, I thought it but proper to make this note of it.

In a political point of view, nothing has transpired since the date of my last Despatch that could be called an event; all Europe is uneasy, but the uneasiness is equally distributed, and so generally balanced that the ill humors of the body politic find it difficult to fester or come to a head in any one particular spot. The disposition of the reactionary powers, Russia, Austria, and Prussia, to make very liberal concessions, being well known, disarms revolution. England, France, and Italy are all equally committed and interested against any revolutionary movement which might endanger the system of Constitutional Monarchy; the activity therefore of Kossuth, Mazzini, and Garibaldi, who are indefatigable in their agitations in Venice, Rome, Hungary, and Poland, is neutralized continually by the diplomacy of Russia, Austria, and Prussia, on this basis (of concession), with England and France. These of course are effects. The cause, however, is apparent; to wit, the popular mind of Europe runs just now in the current of *popular agitation* for popular rights, and not *revolution* by an appeal to the sword, until they shall be convinced that the ultimate result is inevitably necessary. The course recently developed in Russia towards Poland, Austria towards Hungary, and France towards Italy (by standing guard against all comers, while Sardinia is permitted to enter the ring, and have it her own way), has so strongly inclined the popular mind of Europe to believe that all these rights may be

secured by peaceable agitation, and that prerogative is bound to yield to popular rights without war, that revolutionary movements of any other kind are just now at a discount, and unless some untoward event should happen, peace is likely to prevail.

The chief interest manifested in our domestic troubles is how far, and in what manner, they are going to affect themselves; and great pains are taken by England and France—who are now free trade propagandists—to prejudice the commercial mind against the new Tariff.

Notwithstanding all I have said of the formidable obstacles in the way of Austria's resorting to hostilities—her embarrassed finances, the restive condition of the interior and the unsettled domestic policy of the Empire, the approaching session of a Parliament representing the whole Empire, the failure to embroil Prussia in the quarrel so as to direct France from Italy to the Rhine, and (in the event of war) the almost certain rising of Hungary, the equally certain loss of Venetia, if not half the remaining Provinces of the Empire—notwithstanding all these dissuasives, Austria may be plunged into war, not as the result of any process of reasoning nor as the legitimate consequences of any fixed policy, but rather in despite of both. It is possible for want of system, for want of policy, and from a desperation which rushes on evils they know not of rather than bear the ills they have. A few days since the whole Ministry resigned, because too much had been conceded to Hungary at the expense of the German element of the Empire. The same day these resignations were withdrawn, on the assurance that the concessions should be modified. The Conserva-

tives are convinced that every day's delay strengthens Italy and weakens Austria's hold on Venetia, that French policy is reducing to the verge of despair the last rallying point of Legitimacy around the Pope's temporal throne in Rome, that Venetia is being attacked now, not on the Po, but in Hungary; and a hasty conclusion may be reached that all is lost that is in danger, and precipitate war. Such are the uncertainty and unsettled condition of affairs that this is within the limits of possibility; but as I said before, it is not so now intended by Austria. Austria is making demonstrations on the Po, which indicate, and are intended to indicate, a renewal of hostilities by her own initiation, but she means it as a diversion to draw off the Italian intervention in Hungary by giving it employment at home. This I am sure is her meaning, and yet her councils are so unsteady, and the crises of the reorganization of her internal régime so near, that results may be upon us unforeseen by any one.

The Holstein-Schleswig question is farther from settlement than ever, and if European war becomes desirable, this may furnish the pretext as well as any other; for a European war it will be, or no war at all. England and Russia will restrain, (knowing that France, in the event of war, will come to the Rhine to help Denmark) while Austria, keeping her own hands out, would like to embroil Prussia with France and thus divert her from Italy, disturb the balance of power in Europe on the Rhine, and, ending in another European Congress of Diplomatists, after a general war, to reconstruct the map of Europe. Unless, therefore, England and Russia decide that a European war is inevitable, the Holstein affair will be settled. It rarely

happens that such conflicting interests should alike feel inclined to hazard and avoid war, and yet such is the fact with both the legitimist reactionary party and the Republicans; and France, being a Military power founded on universal suffrage, has sympathies with both, and very strong proclivities to employ her armies and enlarge her borders.

I have the honor to enclose herewith translations into French of the protestations of the Grand Duke of Tuscany and the Duke of Modena, respectively, against the assumption by Victor Emmanuel of the title of "King of Italy," recently conferred upon him by the Italian Chambers. They have been presented to me by the representatives of the above mentioned sovereigns at this court, with the request that I would lay them before my Government.

Very Respectfully,
Your Obedient Servant,
J. Glancy Jones.

MR. JONES TO SECRETARY SEWARD.

No. 20. Legation of the United States,
Vienna, April 15th, 1861.

Hon. William H. Seward,
Secretary of State, Washington.

Sir:

I have the honor to acknowledge the receipt of your Circular, dated 9th March, 1861.

I presented the copy of the inaugural address of the President to Count Rechberg on the 8th day of

April, and at the same time verbally communicated, in accordance with the instructions contained in said despatch, the views and opinions of my Government on the present disturbed condition of its domestic affairs, and the aspect in which it wished them to be regarded by the Government of Austria.

He replied that Austria hoped to see us reunited. That she was not inclined to recognize *de facto* Governments anywhere; her opinions had been made known and her minister and Consuls in America instructed fully on the subject; that no application had yet been made to Austria for recognition, as an independent Sovereignty, by any portion of the Confederacy of the United States, and he was of opinion that, as the views of Austria would soon be known on the subject, no such application would be made. Should it be otherwise, however, he would notify this Legation, and the subject could be resumed.

Application has been made to me for a requisition, under the Extradition Treaty, on the Austrian Government for the surrender of a fugitive from justice, named Thomas B. Marsh, a native born citizen of the United States, who had, as was alleged, escaped from justice. The crimes charged were forgery and robbery, by making false entries, &c., in the books of the Mercantile firm of Slocomb, Stowell & Co. of the city of New York, in whose employ Marsh had been for some years retained in the capacity of Invoice Clerk. Marsh was arrested in Vienna, on complaint of Calvin L. Cole, a citizen of the United States and the duly constituted Attorney of said Slocomb, Stowell & Co. Marsh confessed the crimes alleged, in writing, and in my presence, as well as that of the police officers of

the Government who had him in charge, and expressed a wish to be sent immediately to the United States for trial. On this state of facts the requisition was made by me, and after the usual formalities Marsh will be delivered up. I may add that Mr. Cole furnished the Magistrate with ample proof of Marsh's guilt, independently of his voluntary confession, as he informed me in person, and as he also certified to the Chief of Police for the use of the Foreign Office.

The certificate of the Chief of Police under Marsh's written confession was sent by me to the Foreign Office, as the basis of the requisition.

Very Respectfully,
Your Obedient Servant,
J. Glancy Jones.

MR. BURLINGAME TO SECRETARY SEWARD.

Paris, May 31st, 1861.

Hon. Wm. H. Seward,
Secretary of State.

Sir:

On my way to Vienna I have learned through Mr. Walsh, our late Secretary of Legation that he was waited upon by the Secretary of Prince Metternich, Austrian Minister at this Court, who desired to know when I intended to leave for Vienna, with an intimation that the Prince would be pleased to have me remain until the way might be cleared for my presentation.

Learning, unofficially, that the action of the Prince was prompted by a desire to aid rather than retard

the purposes of my Mission, I determined after consultation with my colleagues, Messrs. Dayton, Marsh, Sanford, and Pike, who were unanimous in their opinion, to remain until I should hear further from the Prince.

I learn from another quarter that the trouble probably springs out of something sent to the Austrian Government by Chevalier Hülsemann touching my authorship and advocacy of the Bill raising the Sardinian Mission, taken in connection with my well known sentiments in favor of the Italians.

The Sardinian Bill received the vote of every member of the House and of the Senate, and I have not expressed any sentiment in favor of the Italians not shared in by nearly every American citizen.

If the Austrian Gov. chooses to make such an issue as that—an issue involving the assumption, on her part, of the right to demand that we shall send, not an American, but an Austrian in feeling, she will, in my opinion, prove weak where she has been deemed strongest in her diplomacy.

After having shown by my conduct a disposition not rudely to force an issue on the Austrian Government, I think self-respect and a due regard to the dignity and honor of the Government I represent will, after having waited a reasonable time, render it advisable that I should demand audience of the Emperor, leaving the responsibility of reception or rejection where it belongs.

I send you the proceedings of a meeting of American citizens which took place here on the 29th inst. The meeting was rendered necessary to correct the misapprehension of our position from the tireless

efforts of the traitors who had preceded us. We have had all we could do to turn the tide, and, for this purpose, have been in consultation almost hourly.

Your instructions to Mr. Dayton, which we had translated into French, were the first assurances of a fixed purpose on our part of maintaining the integrity of our Government at every hazard; they were most timely, and made a profound impression. I think I can assure you that we have now the hearty sympathy of the French Gov. and people.

Very respectfully,
Your Obedient Servant,
A. BURLINGAME.

MR. JONES TO SECRETARY SEWARD.

No. 21. LEGATION OF THE UNITED STATES,
VIENNA, June 21st, 1861.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

SIR:

I have the honor to acknowledge the receipt of your despatch No. 12, dated April 13th, 1861, informing me of my recall, of the appointment of the Honorable Anson Burlingame as my successor, and expressing an approval of my course and a wish that I might find it convenient to await the arrival of my successor.

In consequence of the peculiar state of affairs now existing in our country, rendering it likely any day to make calls on or impart information to Foreign Gov-

ernments, I deemed it my duty to comply with this request, especially as after having learned informally that Mr. Burlingame had already reached Europe, I knew that the delay did not promise to be protracted. I have yet no intelligence of Mr. Burlingame, further than that he is reported to be in Paris. I shall continue here at my post, awaiting his arrival, for a few weeks longer, when, if he should not have arrived and no further positive instructions shall have reached me, I shall consider it a full compliance with my instructions to leave the Legation in charge of the Secretary; I shall do this the more readily because his long experience, ability, and fidelity furnish me with every guaranty that the country will be faithfully represented by him. As it is of moment to me to return at the earliest practicable period to my country, I hope the course I propose to follow may meet the approval of my Government.

In my last despatch, No. 20, I referred to the case, at length, of Thomas B. Marsh, an alleged fugitive from justice. He was subsequently delivered up, as I then intimated he would be; but it is but proper that I should state that the Austrian Government, with a view to show her kind feelings, as she alleged, to the American Government, waived the regular and formal mode of judicial investigation provided for in cases arising out of the extradition Treaty. The confession of Mr. Marsh's guilt, made by himself without solicitation, the fact of his citizenship, and his own desire to be transferred to his own country for trial being made manifest, he was handed over to the custody of Mr. Cole without a formal warrant; so, also, the money found in Marsh's possession was paid over to Mr. Cole,

at the joint request of Marsh and Cole, through this Legation, amounting to the sum of one hundred and forty-seven and a half Napoleons, five hundred and twenty-seven and a half pounds sterling, with silver coins in value of four or five Dollars, together with other effects, consisting of clothing, watch, &c., and for which receipts were duly taken and filed here. Copies of the papers, correspondence, receipts, &c., relating thereto are hereby enclosed.

A copy also of a correspondence relating to the case of Leonard S. Sawitzky, an insane naturalized citizen of the United States now confined in the Insane Asylum in Vienna, is also herewith enclosed. I took pains immediately on learning of his confinement, to have the case thoroughly investigated. I found him well cared for, as he said himself; and that he was a native of Austrian Poland, had gone to America, was naturalized, and not succeeding in his expectations had returned to Europe, had no property nor relations in America, but had some relations in Poland, but no property as far as could be ascertained. The only favor he wished of the Government of his adopted country was, that he might by it be transferred to an Hospital of the brothers of mercy in Vienna. He alleged strongly that he was not insane, but of this fact no one else doubted; his case is a mild one, of the form of *monomania*, as I ascertained by sending my own physician specially to examine and report to me. The Hospital he desired to be transferred to, of course, could not receive him, as by the judgment of all—except his own—the Insane Asylum was the proper place for him. I arranged that his relations in Poland might be informed of his situation and condition,

which the Government readily concurred in, as they are anxious to have him cared for and removed. I hope the Government will notice the case and make the proper reply to the application here.

I have despatched through the Consul at Bremen a package of books which were sent to me by the Ministry of Foreign Affairs, with the request that I would forward them to my Government.

On the 25th day of March, I issued a Passport to William Plessing, who furnished evidence that was satisfactory to me that he had been naturalized in the United States and had lost his papers. A copy of the deposition taken is herewith enclosed.

I availed myself of an early opportunity to apprize Count Rechberg of the anxiety of my Government to have a good understanding with other Governments in relation to privateering. He assured me no aid or encouragement would be received in Austria; not being a large maritime power, and having a strong police force, she considers her ports sufficiently under her control without issuing proclamations; and thinks, or says, that better faith in this regard may be observed than by many who may issue proclamations. I believe Austria will do all she says, but it would be simple folly not to perceive what her chief motive is. Regarding herself as a conservative power, she is hostile to all revolutions and necessarily against all *de facto* Governments, and by consequence against anything that may aid or comfort them. She is opposed to privateering *per se*. I regard England and France as *hostile*, or at least unfriendly. Cotton is not so powerful as the earnest desire to balance powers in America. These two nations will act in concert,

and in my judgment the blockade is to be broken by an acknowledgment of the new Confederation just at that time when it is supposed cotton will be badly wanted—to wit, in October next, and of this fact the Southern Confederation will be duly informed. Cotton will be the pretext, but a divided power in America is much dearer to the hearts of those who rule in Europe than all the cotton in the world. The non-maritime powers are with the United States, but they will avail nothing against the combined power of England and France, or even of England alone, in maritime affairs. Unless something can be done, therefore, ere October next to settle this question and restore the Union, I fear the moral power of all Europe will be against us, or at least not with us; and as I regard a divided country as the death knell of all our hopes, I cannot refrain from pressing this point upon the attention of my Government. As to the mode of settlement, I have nothing, of course, to suggest—that is better understood at home; but as to the necessity of preserving the Union, I can judge here, and know that for the North, for the South, for all, it is our sheet anchor, and should be preserved at all hazards. Once divided, we will be the play and sport of European Diplomatists. Differences arising out of a diversified climate and soil, in our productions, commerce, and manufactures, will be exaggerated if not created by European influence, in order that European influence may settle them and adjust the terms of settlement.

The rising power of our united strength was felt, deeply felt, in every council chamber of Europe, and as this rising power bodes no good to tottering feudal-

ism, its prospective dissolution is heard with secret delight. Disunion, with us, is destruction; they are synonymous terms, and so regarded by all Europe.

I wish to impress the Government at home with the magnitude and importance of that in which we all ought to agree, which is the preservation of the Union at all hazards; and in order to fully comprehend its danger, it is best to regard the ruling powers of Europe as secretly at heart in sympathy with the South, or for a divided American power.

Judging solely from a European point, I say by all the reminiscences of the past, all the hopes of the future, for the sake of all sections and our posterity, never assent to disunion until you make up your minds that all is lost, and lost forever.

I have more hope for the future of Syria than for our people under a dismembered union. Cavour's death vibrated every chord in Europe, but, though dead, his system lives and will live, and hence, though all look for the effect, the wisest could not foretell what it would be; politically and financially it has changed nothing, because to the system of which Cavour was a living, acting soul all the powers had made up their minds to submit. No one can attempt to change without losing, and hence all things will continue for a time as they are, and move by peaceful agitation for popular rights without revolution, unless death should vacate the French throne; and then what will come no man can foresee or foretell. Our troubles are counter-revolutionary in Europe, and material forces have made already a grand advance at the expense of rational progress in human society.

On taking leave of the Emperor, I shall, as requested, assure him of the desire of my Government to continue its friendly relations.

I have the honor to be,

Very Respectfully,

Your Obedient Servt.,

J. Glancy Jones.

[*Enclosure in Despatch No. 21.—Translation.*]

MR. JONES TO COUNT RECHBERG.

Legation of the United States,
Vienna, April 9th, 1861.

Between the Imperial Austrian Government and that of the United States of America exists a Treaty concluded at Washington on the 3rd of July, 1856, and rendered valid by the ratifications exchanged there on the 13th of December, 1856, according to which these two States agreed, on mutual requisition, which the Governments themselves or their Ministers, officials, or other authorities might issue, to give up certain accused individuals to justice.

A few days ago, at the request of a citizen, Mr. C. L. Cole, sent here for this purpose, a certain Thomas B. Marsh, formerly a clerk in New York, was discovered and arrested here through the vigilant activity of the Imperial Royal City Police Office, he being also an American citizen, and being charged on the ground of sworn declarations of having committed the crime of fraud and falsification, to an amount not yet precisely fixed but certainly very large, at New York,

in the commercial house of Slocomb, in which he served as clerk.

The said Thomas B. Marsh, in a note addressed to me, has notified me (with the addition that he declares himself guilty of the crime charged to him) that he himself wishes to be delivered up to the American authorities. This statement is legalized and certified to by the I. R. Police Office.

In this state of things, the intervention of the judicial authorities, provided for in the above mentioned treaty, and a regular prosecution, which would occasion a procedure of several months' duration, may be more readily dispensed with, as such are only necessary when on the part of the person to be delivered up objection is made thereto, or other difficulties arise, which is here not the case.

In the view of the Undersigned, it is only necessary for the purpose of Thomas B. Marsh himself that the I. R. City Police Office should be authorized by the competent higher authorities to furnish Mr. Cole with a suitable document to empower the same to take Thomas B. Marsh, for rendition to the American authorities, by the way of Hamburg to America, and to lay claim to this end to the assistance of the authorities here.

The Impl. Royal City Police would also confer a favor if, at the request of Mr. Cole, and of course at his cost, it would allow him to be accompanied as far as Hamburg by one or two persons as an escort.

As the affair is, in so far, a very pressing one, as Mr. Cole, who has already pursued Marsh for several months in Europe, ardently desires to depart with Thomas B. Marsh in the next mail Steamer which

leaves Hamburg in a few days, I have the honor to request that the Imperial Royal Ministry of Foreign Affairs will have the goodness to intervene as soon as possible, and in the most expeditious way, with the Imperial Ministry of Police, to the end that the rendition of Thomas B. Marsh to Mr. Cole, with the above mentioned document, and their speediest possible departure, may result.

The Undersigned believes that he can give the assurance that the Government of the United States would not hesitate in a similar case to do the same.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, in submitting the above to His Excellency Count Rechberg, Imperial Royal Minister of Foreign Affairs, begs leave to renew to him the assurance of his distinguished consideration.

(Signed) J. Glancy Jones.

To his Excellency Count Rechberg,
Imperial Royal Minister of Foreign Affairs.

[*Enclosure in Despatch No. 21.—Translation.*]

BARON KOLLER TO MR. JONES.

Vienna, April 11th, 1861.

To the esteemed note of the 9th inst. respecting the delivery of the American citizen, Thomas B. Marsh, accused of the crime of fraud and falsification committed in New York, the Imperial Ministry of Foreign Affairs has the honor respectfully to reply to the North American Envoy Extraordinary and Minister

Plenipotentiary, Mr. Glancy Jones, that according to the rules here in force in respect to the rendition of a foreigner accused of a crime and seized in Austria to the Authorities of a foreign country, whether this rendition be claimed on the ground of a special international treaty or also without such, the decision can come only from the competent Austrian judicial Authority.

The Ministry of Foreign Affairs has therefore not failed to take the necessary steps in order to call forth the requisite judicial decision upon the case here under consideration, and it will hasten to bring the same to the knowledge of the Hon. Minister, as well as, in case of compliance, the measures taken by the Police for the execution of the Extradition assented to.

In the meanwhile, the Undersigned avails himself of this occasion to renew to the Honorable Minister the expression of his perfect consideration.

For the Minister of Foreign Affairs,
The Under Secretary of State,
(Signed) KOLLER.

[*Enclosure in Despatch No. 21.—Copy.*]

MR. JONES TO COUNT RECHBERG.

LEGATION OF THE UNITED STATES,
VIENNA, April 27th, 1861.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, referring to his note of the 9th inst. respecting the case of Thos. B. Marsh, an American citizen, whose extradition as a criminal was solicited by him, has

now the honor respectfully to ask that the said Marsh —in case that the Austrian judicial authorities have decided on his rendition to the American Government —may be, together with the money and all other effects found on him, delivered up in Vienna to this Legation.

The Undersigned, in making this request, begs leave to assure the Imperial Royal Ministry of Foreign Affairs of his most distinguished consideration.

(Signed) J. Glancy Jones.

To the Imperial Royal Ministry
of Foreign Affairs.

[*Enclosure in Despatch No. 21.—Translation.*]

BARON KOLLER TO MR. JONES.

Vienna, April 27th, 1861.

The Ministry of Foreign Affairs has the honor to reply to the esteemed note of the 27th inst. of the Legation of North America, that the Imperial Ministry of Justice has been requested to take the necessary steps for the rendition of the North American citizen Thomas B. Marsh, accused of fraud, in the manner desired by the respected North American Legation.

The Undersigned avails himself of this occasion to renew to the Legation the expression of his perfect consideration.

For the Minister of Foreign Affairs,
The Under Secretary of State,
(Signed) Koller.

To the American Legation.

[*Papers referred to in Despatch No. 21.*]

To His Excellency J. Glancy Jones,
Envoy Extraordinary and Minister Plenipotentiary, Vienna.

Sir:

The Authorities of Austria having decided to deliver, and having delivered, Thomas B. Marsh into your custody, I humbly request and pray you to deliver to my custody the said Marsh for the purpose of conveying him in my custody to the United States of N. America.

Your Obedient Servant,
(Signed) C. L. Cole.

Vienna, April 29th, 1861.

To all whom it may concern, be it known that I, Thomas B. Marsh, of the city of New York, U. S. of A., having been under arrest in Vienna, and surrendered to the American Minister with the property and money in my possession at the time of my arrest, including say about six hundred and forty pounds sterling: Now, therefore, this is to declare that I consent that the said money and other effects so delivered to the American Legation should be delivered and given up to C. L. Cole, the authorized agent and attorney of Thomas Slocomb of New York.

Witness my hand and seal. Dated this 30th day of April, 1861, at Vienna.

(Signed) Thomas B. Marsh.
(L. S.)

Witness:
J. F. Delaplaine.

The Undersigned, holder of a power of Attorney from Thomas Slocomb, Merchant of New York, authorizing him to act for and in the name of the said Slocomb, hereby acknowledges the receipt from the Legation of the United States at Vienna of the money and other effects found in the possession of Thomas B. Marsh at the time of the arrest of said Marsh at Vienna on a charge of defrauding the said Slocomb, the personal effects consisting of clothing, watch, &c., &c., and the money of one hundred and forty-seven and a half Napoleons, five hundred and twenty-seven and a half pounds sterling, with silver coins in value of four or five dollars, both money and effects having been delivered to the said Legation by the Government of Austria.

(Signed) C. L. Cole,
Attorney for Thomas Slocomb.

Witness:
J. F. Delaplaine.

I, George W. Lippitt, Secretary of the United States Legation at Vienna, hereby certify that the above are true and accurate copies of the original papers on file in this Legation.

George W. Lippitt.

[*Enclosure in Despatch No. 21.—Translation.*]

BARON MEYSENBURG TO MR. JONES.

VIENNA, May 31st, 1861.

According to a communication of the Imperial Ministry of Justice, Leonard Sawitzky, teacher of languages, who had come to Vienna and was living in the Hotel Matschakerhof, had to be taken to the Imperial Royal Insane Asylum, and by decision of the Imperial Royal Vienna Court of the 19th of February, 1861, on the ground of legally proved insanity, was placed under guardianship.

As the person in question, according to the herewith enclosed passport, dated Feb. 23rd, 1860, No. 17, 221, is a citizen of the United States, the Imperial Royal Notary, Dr. Gustav Pobenheim, was appointed by the city District Court of Vienna Curator for Sawitzky (for so long) until the competent authorities of his country shall make another arrangement. The ward having no property, security is not required.

The Imperial Royal Ministry of Foreign Affairs, in bringing this matter to the knowledge of the Legation of the United States for such further disposition as may be agreeable, has the honor to request that this disposition of the case may be made known to it as soon as possible, and that the enclosed Passport may be returned—its return being expressly desired by the Imperial Royal authorities concerned.

The undersigned avails himself, &c., &c.

For the Minister of Foreign Affairs,
(Signed) MEYSENBURG.

To HIS EXCELLENCY J. GLANCY JONES, &c. &c. &c.

[*Enclosure in Despatch No. 21.—Copy.*]

MR. JONES TO COUNT RECHBERG.

LEGATION OF THE UNITED STATES,
VIENNA, June 18th, 1861.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America has the honor to acknowledge the receipt of the note of his Excellency Baron Meysenburg, on behalf of the Imperial and Royal Minister of Foreign Affairs, in which the Undersigned is informed that a certain Leonard S. Sawitzky, a citizen of the United States, has been consigned to the Imperial Royal Insane Asylum by decision of the Imperial Royal Vienna Court, it having been first legally proved that he was insane, and that Dr. Gustav Pobenheim has been appointed curator, until the competent authority of his own country shall make other arrangements; and further that said Sawitzky has no property, and that said information is given to this Legation in order that further disposal may be made of the case by this Legation.

In reply, the Undersigned begs leave to inform the Imperial and Royal Minister of Foreign Affairs that his Government has no local jurisdiction over the persons or estates of insane citizens of the United States, except in the District of Columbia (the seat of the General Government), the subject matter being one entirely reserved by the respective States as a question of local jurisdiction. Persons becoming insane abroad, however, as in this case, and that fact being brought to the notice of the representatives of the Government of the United States in any way, it

will always be made known to their Government and by the Government speedily communicated to the competent authorities, when the residence can be ascertained of the party, and such authorities will take action and communicate through the representative of the Government of the United States to the Government under which the case has arisen.

In this case that course will be taken by the Undersigned, and the results when known duly reported to the Imperial Royal Government of Austria.

The Passport forwarded from the Ministry of Foreign Affairs is herewith returned, in accordance with the wish expressed.

The Undersigned avails himself of this occasion to renew, &c., &c.

(Signed) J. Glancy Jones.

To His Excellency Count Rechberg, &c. &c. &c.

[*Enclosure in Despatch No. 21.*]

Legation of the United States of Vienna.

Copy of the Deposition of William Plessing, a Naturalized Citizen of the United States of America.

William Plessing, being duly sworn according to law, doth depose and say, that he is 41 years of age; was born in Vienna, in the Empire of Austria, in the year 1820. That he emigrated to the United States of America, and landed at the city of New Orleans, in the State of Louisiana, on the 9th of October, 1846; that while in that city he, in the month of December, 1846, made a declaration of his intention to become a

citizen of the United States, and that he resided permanently in the United States of America, without leaving the same, until the 5th of February in the year 1860, at which time he sailed for Europe.

And this deponent further declares, that he was married in America in the year 1851, and has a wife and children now living, to the best of his knowledge and belief, in the State of California.

And he, the said deponent, further declares upon his solemn oath that he was duly naturalized a citizen of the United States of America in the city of San Francisco, in the State of California, in the month of July, in the year 1852, and that he took out his certificate of naturalization accordingly. That the vessel Phœnix, in which he embarked, was wrecked near Cuxhaven in the month of March, 1860, and that he thereby lost all the goods of which he was possessed, including his certificate of naturalization; and this deponent prays that upon the strength of this deposition he may be granted a Passport as a citizen of the United States of America.

(L. S.) (Signed) WILLIAM PLESSING.

Sworn and subscribed before me, George W. Lippitt, Secretary of Legation, at the Legation of the United States of America at Vienna, in the Empire of Austria, this 25th day of March, in the year of our Lord 1861, and of the Independence of the United States of America the Eighty-fifth.

(Signed) G. W. LIPPITT.

(Seal of the Legation.)

MR. JONES TO SECRETARY SEWARD.

No. 22. LEGATION OF THE UNITED STATES,
VIENNA, July 20th, 1861.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

SIR:

A few days since, Count Rechberg, the Imperial Royal Minister of Foreign Affairs, was interrogated in the House of Deputies of the Austrian Empire on the subject of the course pursued, or about to be pursued, by the Imperial Royal Government in relation to American Affairs in the present complication. The report of his remarks is as follows:

Count Rechberg rose to answer the question, "What measures has the Government taken to protect its commercial relations with the United States of North America, under the warlike condition of things now existing there," put by Mr. Putzer and his associates. He said: "The Ministry of Foreign Affairs has, in connection with the Ministries of Trade and of the Navy, caused information to be obtained through the Imperial Minister Resident at Washington as to the measures which other Governments have taken for the same reason. The answer received was, that England and France, as well as Holland, had strengthened their squadrons in the American waters, and had endeavored to bring the belligerent powers to the recognition of those principles especially, relating to the protection of private property, which were agreed upon at the Congress of Paris in 1856. The Imperial Government has for the present abstained from send-

ing ships of war, and has directed the Minister Resident to obtain from the belligerent powers the recognition of the following points established by the said Congress:

1. The neutral flag covers enemies' goods, with the exception of contraband of war.

2. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

3. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The Government hopes, on account of the friendly relations which have existed between it and the American States for years, to obtain the recognition of these three points on the part of the belligerents."

In an interview with Count Rechberg a day or two ago, he expressed to me the hope that the answer might be deemed satisfactory to my Government, as it was his wish to make it so. I replied that so far as I was advised, no exception could be taken to his language; but that I should transmit to my Government both the question and answer, and if they had anything to say, they would make it known to him, through their Minister here.

He repeated his strong desire to see the integrity of the Union preserved in America, and said that Austria was anxious to cultivate the most friendly relations with us, and would be the last to aid or abet any movement looking to the disruption of our confederacy or weakening its power.

Very Respectfully,

Your Obedient Servant,

J. Glancy Jones.

MR. JONES TO SECRETARY SEWARD.

No. 23. LEGATION OF THE UNITED STATES,
VIENNA, August 6th, 1861.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

SIR:

The condition of Hungary has more or less attracted the attention of Europe and America—and especially in their Diplomatic Circles—since the Italian war of 1859, the Hungarians insisting on the restoration of their old Constitution and laws as they existed prior to and in 1848. The Government of Vienna, making liberal concessions in two Patents, issued in October, 1860, and in February, 1861, respectively, propose to confine the Hungarians to the principles laid down in the Pragmatic Sanction. On this issue has been joined; the Hungarian Parliament refused to send members to the Imperial Reichsrath until their demands should be complied with. An address was recently sent by the Hungarians to the Emperor, by whom technical exception was taken to their manner of addressing him—a refusal, in fact, to recognize him as their Sovereign, except conditionally. This omission served a good purpose for the Emperor, in bringing to his support the Representatives of all the German Provinces of the Empire, as well as Poland, in the Imperial Parliament, as these Representatives desire a Constitution in which all sections of the Empire shall have equal rights & privileges, and consequently are not friendly to the grant of National privileges to one of the integral parts of the Empire which are denied to another.

The Hungarian Diet unanimously changed the form they had chosen of addressing His Majesty, with which alteration the address was received by the Emperor, who has published his reply to it in the form of an Imperial Rescript, which was read in both houses of the Imperial Parliament on the 23rd of July inst. This assumes to be a finality, and results in a change of Ministers, to the extent of the Hungarian members alone however.

The political condition of Europe has its influence in Hungarian affairs. The death of Cavour, the acknowledgment of the Kingdom of Italy, the disturbances in Poland, &c., disable France and England from interfering at the present crisis in Hungarian affairs, beyond that of expressing sympathies. Under these circumstances, Hungary will probably have to submit until European complications offer a better opportunity, when all their demands will be renewed with increased vigor, and in all probability with ultimate success. The chief barrier in Hungary's way, in the future, will be the hostility of the sections of the Empire who are not to be equally benefited, and these interests will be much strengthened by having a voice in the National Parliament.

A translation of the Rescript above referred to is herewith enclosed.

I forward also, herewith, to the Department, in compliance with my instructions, an Inventory of the books, &c., now in possession of the Legation.

I am, Very Respectfully,

Your Obedient Servant,

J. Glancy Jones.

[*Enclosure in Despatch No. 23.—Translation.*]

RESCRIPT TO THE HUNGARIAN DIET.

We, Francis Joseph the First, &c., &c., &c., present to the Magnates and Representatives of our Faithful Kingdom of Hungary in Diet assembled, according to our summons of the 2d of April of this year, our salutation and our favour.

Beloved and faithful, as you have complied with our summons addressed to you by rescript of the 30th ult., to offer the loyal address presented to us in such a form that its acceptance might be in harmony with the dignity of the Crown, which will be guarded by us against every assault, and with our hereditary sovereign right, with dutiful readiness, for which we have already caused our satisfaction to be expressed:

We are rejoiced, agreeably to our promise and our lively desire, to be able to express ourselves unreservedly in regard to the weighty matters contained in that Address—in order to attain in this way, through a clear and complete explanation, a proper and permanent settlement of the present difficulties.

Through the summoning of the present Diet we desired to open a way in which the obstacles to the constitutional administration of our Kingdom of Hungary might be legally removed, and the relations arising out of its indissoluble union with our kingdoms and provinces might be, in conformity to the demands of our whole monarchy, regulated in such a manner, through the legislative power, that the measures to be taken, in this respect, corresponding to the feelings of the nation, may be such as to avoid every other than a legal solution of the question which must be decided.

If in the loyal Address referred to our Diploma of 20th October, 1860, is spoken of as though it stood in strong contrast with the independence of Hungary secured by the Pragmatic Sanction, so do we acknowledge indeed that according to the above Diploma the Hungarian Diet will have to deliberate in reference to those matters which refer to taxation, and to the mode, manner, and regulation of military duty, in a way different from that under the former laws; namely, in common with the other constitutional representatives of the whole empire. We cannot, however, from this infer that there is herein an infringement of the guarantees of the Constitutional independence of Hungary, but must rather expect that they will be strengthened in consequence of the understanding to be attained by common deliberations with the freely elected representatives of our other kingdoms and provinces in relation to their mutual interests; and we graciously make the Magnates and representatives assembled in Diet attentive to the fact that their influence formerly extended only to a small part of the general taxation, and not as in future, by virtue of the Diploma, to all kinds of taxes and measures of finance; and also to the letter of the Pragmatic Sanction incorporated in the first and second articles of law of the year 1723, which, according to these, did not originate solely in order to protect our Kingdom of Hungary against inward and outward assaults and the easily excitable and to the country well known interior convulsions, but also in order that a final common basis might be gained for a mutual understanding and union with our other kingdoms and provinces.

Our Royal summons for the present Diet has already

furnished the proof that it is our firm will to follow the usage in reference to the coronation Diploma, and we also, in order to the desired pacification of excited minds and to remove ungrounded fears, openly acknowledge that our Kingdom of Hungary, as well in reference to the persons employed as also to the systems and the forms, is to be governed in a manner peculiar to itself, and correspondingly to its old constitution, and that therefore the absorption of the countries belonging to the Crown of St. Stephen, with the rest of the monarchy, is not intended by us, and is far from our heart.

From this we freely admit, indeed, an "autonome" administration of the internal affairs of the country, as ordained in the 10th Article of the year 1790, but by no means does it follow herefrom that the existing indissoluble bond between our kingdom of Hungary and our other kingdoms and provinces consists solely and alone in the unity of the ruling family, or forms merely a personal union, an assertion which is clearly refuted by the legal position of our kingdom of Hungary as actually resulting from the laws and history.

The unity of the throne, the conduct of the army, and the central administration of the common finances of our whole monarchy are the natural consequences of the Pragmatic Sanction, which established the indivisibility and inseparability of the monarchy; and as our kingdom of Hungary since the accession to the throne of our ruling has never been specially represented abroad, and is also now under the name of the Austrian Empire among the Powers of Europe, comprehended with our other kingdoms and provinces, so had Hungary always to contribute to the common necessities of

our whole monarchy, and to participate in the sacrifices which in consequence of wars were made by the nations under our rule, as is clear from the Articles 63 of the year 1741, 2 of year 1796, 1 of the year 1805, 2 of year 1807, 6 of year 1808, and others.

In consequence of having shared the same fate for three centuries under a common government, our kingdom of Hungary has entered into a much closer union with the countries of our whole monarchy than can be designated by a personal union. This closer union is unmistakably pointed out in first and second Articles of year 1723, as well in their words as in their consequences. And not only do the Articles 21 and 98 of the same year in their third paragraph and the Articles 104 and 114 refer to that central government which managed affairs common to it with the other countries of the monarchy, but the Hungarian legislation has in Section 4 of Article 4 of year 1741 given a striking proof of its care for the common interests of the Empire, inasmuch as it, in order that the supreme government of Hungary might not be separated from that of the other parts of the Empire, and in contradiction with the 2d Article of year 1845, referring to the guardianship of the Palatine, quoted in the address of the Diet, designated the Emperor Francis, the most serene Consort of Maria Theresa of glorious memory, not only as co-regent, but also, in case of minority of the heir to the throne, as the legal guardian for Hungary likewise, to the end that he might govern Hungary as well as the other parts of the monarchy with paternal and guardian authority.

The common conduct and administration of the departments of War and Finance is certified by a com-

plete series of facts not compatible with the idea of a personal union, and the 4th Section of 11th Article of year 1741, in which the country demanded the appointment of Hungarian members in the Ministry of State, would be inexplicable without a closer union. Through the laws of 1848 it was indeed designed to bring about a personal union, in no little contradiction with the declaration made in the preface to these laws, that the unity of the Crown and all obligations to the monarchy should remain unimpaired; but the execution of these laws revealed in the first half year the dangers which threatened, Hungary inclusive, our whole monarchy, for the reason that, setting aside the legal position and history of Hungary, it was endeavored to sustain the entire interests of the State on the narrow basis of a personal union. This separation caused dangerous convulsions which compelled the application of another administrative system and the setting aside the constitutional institutions of Hungary.

Since, however, by our Diploma of 20th October, 1860, the restoration of the Hungarian Constitution under the conditions and limitations which are required by the interests of our throne and kingdom and by the introduction of constitutional institutions in our other kingdoms and provinces has been assured by us in the fulness of our Royal authority, we have, in order to fulfil this assurance, restored as well the traditional constitutions of the Countries as also the Hungarian governmental functionaries, and afterward have summoned this Diet in order through it, in the way of legislation upon the basis of Royal propositions or by motion of the Diet itself, to attain a practical solution of the supremely important objects contained in our Diploma

of 20th October, 1860, and in our resolves of the same date, and thus to satisfy the interests and wishes of the country, and to bring the legal position of Hungary into harmony with the requirements of the inseparable and firm union of all our countries and with the international position of the Empire.

As, however, for the attainment of this end the Magnates and representatives in Diet assembled put the laws of 1848, and, making this demand a preliminary condition, wished to base the constitutional legal state of the country solely hereon, they seek the solution of the problem laid before them in a sphere in which opposition to most essential interests of our whole monarchy is unavoidable, and a settlement answering to the just demand of the common weal is in no way attainable.

Those principles contained in the laws of 1848 which refer to the abolition of the privileged position of the nobility, to the capacity for office and for holding property of all classes without distinction of birth, to the removal of burdens on the peasantry, as well as to the common liability to military duty and to taxation and to participation in the election to the Diet of all classes of our subjects of the Kingdom of Hungary not formerly entitled to it, we have already, in our resolves of 20th October, 1860, recognized and confirmed as valid. As, however, to the other laws passed by the Diet of 1847 and 48, it is well known to the Magnates and representatives that various of the chief points of these laws are strongly opposed to the substance of the Pragmatic Sanction, and hence are of themselves from the standpoint of the law inadmissible; nor is it less known to them that these impair, not only the rights

of the other provinces and of the whole state, but also a great part of the population of Hungary itself in their national interests. A bitter experience has also taught us that many articles, for the very reason that they do not harmonize with the circumstances produced and developed by the ancient and legal municipal relations of Hungary, offer no guarantee for the fulfilment of their purpose, and that hence the various political and national elements, as well as the relations of Hungary to our whole State, necessarily require another basis of union. For this reason we herewith graciously make known to the Magnates and representatives in Diet assembled that we can never bring ourselves to the recognition of those Articles of these laws which are in open contradiction with the necessary regard for the inseparable interests of our whole kingdom, and especially with the resolves of 20th October, 1860, and 26th February, 1861—a recognition which, as we have thus far never made, we shall never feel disposed to make in the future, as we do not feel ourselves personally obligated to the same.

As, however, the initiative to the necessary motions for changes belong not only to us in the way of Royal propositions, but also to the nation itself, and as the representation has not only a right but also a duty to find for its motions a basis upon which the country will be quieted in respect to its constitutional privileges and its national interests, and on which the application of its historical rights can be restored to its true path, therefore we declare hereby that a revision of the laws of 1848 answering to the spirit of the Pragmatic Sanction and to the interests of our whole monarchy, as graciously ordained by us already on 20th October, 1860, has

indispensably to precede, before the Diet can deliberate upon the Coronation Diploma to be issued by us.

In the confident hope the assembled Magnates and representatives will follow the example of their ancestors, who, led by patriotic feelings, knew how to appreciate the imperative demands of events from time to time occurring, and through the Articles 4th of year 1687, 8th of year 1715, 1st and 2d of year 1723, were always ready to bring the legal position of Hungary into harmony with the mutual claims of the whole Monarchy, we call upon the assembled Magnates and representatives, reserving to ourselves the right of further communication in the way of Royal propositions, to make in reference to the revision and also to the abolition of the laws of 1848 the necessary projects of law, conformably to the supreme designs stated by us, and to offer them as soon as possible for our Royal sanction.

Under the circumstances that in consequence of the 1st and 2d Article of our Diploma of 20th October, 1860, and of the fundamental Law of 26th February, 1861, those points of legislation which refer to the mutual rights, obligations, and interests of all our Kingdoms and provinces are to be deliberated upon in the Reichsrath, representing our whole Monarchy, and that we through our Note of the 26th February, 1861, to our Hungarian Chancellor have been pleased to direct the constitutional regulation, by means of the legislation of the land, so as to avoid all compulsion and disorder, of the question of the mode and manner in which in Hungary the choice of delegates to the Reichsrath shall take place, so will the Assembled Magnates and representatives have to give to this question the proper treatment.

Inasmuch, however, as the definitive settlement of this affair, in the way of legislation, manifestly will require some considerable time and may give rise to extended argument, inasmuch as we further, for this reason, already at the time of summoning the Reichsrath, on the 26th February last, in the view of sending delegates to the present sitting Reichsrath, have been pleased, through our Letter directed to the Hungarian Court Chancellor, to provide a provisional Order for the present event, and finally, since also the assembled Magnates and representatives, in their most loyal address to us, declared themselves ready to enter into deliberation with the constitutional people of our other kingdoms and countries on every event demanding it, we do therefore call upon the Magnates and representatives, although they have already in their Address formally declined participation in the Reichsrath, yet with earnest repeated admonitions, by the sending of members to the present Reichsrath in session to maintain the due influence of their country upon those subjects which we in the 2d Article of our Diploma of 20th October of last year desire should be treated and determined in future only under the duly ordered participation of our people.

We urge, therefore, the Magnates and representatives assembled imperatively to comply with this call, because the subjects alluded to must be treated and determined without delay, and in truth at the latest during the month of August.

According to the regulation of the relations of Hungary with our other provinces, if effected in the sense of our Imperial intentions, and after the revision or abolition of those parts of the legislation of the year

1848 the restoration of which is either quite impracticable or at least cannot take place in an unchanged form, the question as to the petitioned completion of the Diet is answered without difficulty in the following manner.

In the first place, as regards the union of the principality of Siebenbürgen with Hungary, determined on without the free consent of the Roumans and Saxons, it must be observed particularly that this union was never in full legal measure effected, and in fact broke immediately after it was proclaimed, and is to be considered as impracticable so long as the inhabitants of Siebenbürgen, who do not speak Hungarian, see their natural interests opposed by such a union, and so long also as the necessary guarantee to the interests and demands of the entire Empire is not afforded hereby. For this cause we have, in our resolves of 20th October, 1860, left untouched the matter of the union of Siebenbürgen with Hungary, and only commanded that the restoration of the Diet of Siebenbürgen should be prepared for.

With Croatia and Sclavonia the case is different. In respect to these kingdoms, we have in our Note of 20th October, 1860, to the Ban, reserved for future decision the solution of the question in regard to the relation of these countries to the kingdom of Hungary.

The historical connection of these kingdoms with the Hungarian Crown, whether in respect to their right of representation in the Hungarian Diet or to their internal administration and legislation, even in the higher offices, was essentially changed through the legislation of the year 1848—as this was of such exciting effect that these Kingdoms preferred to dissolve

their union with the Kingdom of Hungary rather than subject themselves to the demands of an Hungarian Minister.

In harmony with our above mentioned Note, we repeat accordingly that this question can only be successfully prepared for our supreme decision in the way of an understanding with the Croatian and Sclavonian Diet—that it will be therefore one of the high objects of the assembled Magnates and representatives to seek a solution of the question how, with a perfect internal administration of the Kingdoms of Croatia and Sclavonia, an agreement may be come to as to the conditions under which these kingdoms, without impairing their relation to the whole monarchy, may be ready to accept, and put into effect, a legal union with Hungary.

By this definitely to be made settlement of the internal constitutional relations, that ordinance remains untouched which we, in respect to the participation of the kingdoms of Croatia and Sclavonia in the deliberations of the now sitting Reichsrath upon those subjects which we will have treated and decided, according to Art. 2d of our Diploma of 20th October, only with the practically regulated coöperation of our people—which (ordinance) we have issued in our Note to the President of the Croatian Sclavonian "Hof dicasterium" of the 26th February 1861, and with reference to which our requisition on the Croatian Sclavonian Diet has been issued for the choice of delegates for this year's session.

At the same time we deem fit to call upon the assembled Magnates and representatives to take into deliberation the project of law to be proposed, either

by our Government or by the Diet itself, which shall contain definitely stated the full rights of those inhabitants who do not speak Hungarian, in respect to their national development in language and their mutual relations to the public administration.

In reference especially to the Servian inhabitants, we reserve to ourselves to lay our resolves and propositions before the assembled Magnates and representatives for their deliberation, and the fulfilment of them in respect to guarantees for the traditional privileges and national interests of the Servians, on the basis of the wishes expressed during the national Congress held in reference to the reincorporation of the Servian Woiwodschaft in the Kingdom of Hungary.

Finally, we hope that the assembled Magnates and representatives, penetrated with the high importance of their present duty, will dedicate all their efforts to the happy discharge of the same, and, keeping in view the indispensable demands of their existing relation to the whole Empire, will see that we, Hungary's hereditary King, can only after a settlement of the affairs here touched upon proceed to deliberation in regard to the inaugural Diploma. As to the abdication of his Majesty the Emperor Ferdinand, we hereby graciously make known to the assembled Magnates and representatives, finally rejecting the pretext of a formal defect of the documents executed on the occasion, that after that our most Serene Uncle, in the act of abdication of the 2d December, 1848, renounced the Crown of the Empire of Austria ("and of all kingdoms united the same"—wherein the Kingdom of Hungary is undoubtedly comprised—and "all the other provinces, however they may be called"), and after that his Im-

perial Highness the most Serene Archduke Francis Charles had waived his right to the succession, we in consequence ascended our hereditary throne, and proclaimed the said abdication and renunciation as also our accession solemnly to all our people. The necessity, therefore, of the execution of a new document, especially by an Article to be framed hereupon, clearly does not exist.

We further declare, in conclusion, our gracious disposition willingly on the occasion of the coronation to take into gracious consideration the petitioned condonation of those condemnations pronounced by the Exceptional Court.

And this is what we desire to graciously answer to the loyal Address of the Magnates and representatives in Diet assembled, justly expecting that as we gave our special attention thereto, that our Kingdom of Hungary, quieted in regard to the independence of its interior administration, should find unshakable support for the guarantees of its future welfare; that the Magnates and representatives also, with due consideration of the relations of Hungary to the other kingdoms and countries indissolubly united with it through the Pragmatic Sanction, will not refuse their constitutional cooperation to this our proposed legal and for the common interest beneficial regulation of all matters which require it. As we, however, in view of the circumstance that a split in the administration or legislation of a country never can be ventured on without severe shaking of all relations, annihilation of the welfare, and endangering of the most sacred interests, have already in our resolves of 20th October, 1860, ordered that all existing laws and institutions, so important for the

country itself, as also exacted by the interests of our other countries, namely, as far as they relate to providing means for supplying the wants of the entire monarchy, shall continue in full force and be administered with all firmness until their change is accomplished in a constitutional way—accordingly we bring to the memory of the Magnates and representatives in Diet assembled this fact, with the earnest admonition that obedience to these our ordinances is most scrupulously to be rendered.

For the rest, we remain constantly well disposed toward you with our Imperial and Royal favour and grace.

Given in our Imperial Capital of Vienna in Austria, on the twenty-first day of July, in the year 1861.

(L.S.) Francis Joseph, m.p.
Count Anton Forgath, m.p.
Koloman Beke, m.p.

MR. MOTLEY TO SECRETARY SEWARD.

Washington, 14 August, 1861.

Sir:

I have the honor to acknowledge the receipt of your letter of 14th inst., by which I am informed that the office of envoy extraordinary & minister plenipotentiary of the United States to Austria had been conferred upon me. You request me also to inform you how soon it will be convenient for me to repair to Vienna.

In reply, I have to express my high & grateful appreciation of the honor thus bestowed, & to state that I

am ready to leave by the steamer which sails for Boston this day week, 21st instant.

I have the honor to remain,

Your obedient servant,

J. Lothrop Motley.

Hon. W. H. Seward, *Secretary of State*

MR. JONES TO SECRETARY SEWARD.

No. 24. Legation of the United States,
Vienna, Augt. 26, 1861.

Sir:

I have the honour to acknowledge the receipt of your despatch No. 13, dated July 26th, 1861, enclosing the Commission of Richard Hildreth, Esq., of New York, the newly appointed Consul at Trieste, &c., and instructing me to apply to the Austrian government for an Exequatur. In compliance with which, I have already addressed the Minister of Foreign Affairs, & have no doubt of the Exequatur being issued as soon as the usual forms are gone through with; and in the meantime, if Mr. Hildreth should reach Trieste & need it, a temporary permit will be given him, which will hold good until the Exequatur is disposed of.

In my last despatch, No. 23, a full copy, in translation, of the Imperial Rescript relating to Hungarian Affairs was given. The Hungarian Diet has with signal unanimity drawn up an answer to it, which is already forwarded to the government here. It is a lengthy & elaborate document, argumentative in form & closing with a broad declaration of general principles.

It is intended, on the whole, to be a conclusive answer to the points made in the Rescript. Issue is thus joined, & the Hungarians, declaring they are willing to submit it as it stands to their own people & to the judgment of the civilized world, affirm it to be final & unalterable; giving notice that they, as at present constituted, deem themselves incompetent to legislate, & that they are ready for dissolution. What the Government here will do next is entirely unknown, except that they will dissolve the Diet. They have declared that they will never recede from the positions of the Diploma of Oct., 1860, & the Patent of Feb., 1861. Austria knows that Hungary has no hope for help at this time from other European nations. England, France, & Italy have not only, indirectly, so informed Hungary, but Kossuth has also apprized his friends of the same. The most reasonable conjecture is that she will prolong the controversy, & Austria & Hungary may both address manifestoes to the civilized world. Our disturbances are not without their influence in easing Austria's apprehensions of the progress of Republican & revolutionary ideas, & in stimulating her hopes that the time for reaction has come. When Austria arrives at a distinct issue with Hungary, I will, if still here, taking the Rescript already sent as a basis, transmit the points of agreement & divergence, so as to make it intelligible at Washington. The real issue, though not avowed, may be stated in general terms to be, that Austria really wants to govern Hungary as a conquered province & merge it into the Empire; but, not wishing to admit that fact, she falls back on the pragmatic sanction, & doing so, the Hungarians, on this issue, have the better of the argument.

The defeat of our troops at Manassas has had, of course, a bad effect upon the European mind. The middle classes are fretting under the derangement of their financial, commercial, & industrial interests, occasioned by the war in America, while the ruling classes, having no love for us at heart, avail themselves of the opportunity to suggest that republican forms of government are failures & that the dissolution of the American Confederacy is a "fait accompli." Where these two classes combine, they always wield great influence with the masses, or third estate, who really do sympathize with us & pray for our success.

Prussia has applied to Austria for her opinion on the points commonly called the four points of the Paris Conference of April, 1856, as now modified & submitted to the European governments by our government. Count Rechberg replied that he had as yet received nothing from our government on the subject & could give no opinion until he had heard from it. He subsequently informed me of all this in the most friendly manner, & inquired after the despatch. I told him I had none, but supposed it might be in the hands of Mr. Burlingame, who had been appointed to succeed me, all papers coming to his address at Vienna having been forwarded to him at Paris at his own request. He then expressed a wish to see & examine the propositions & hoped I would furnish him at an early day with a copy, as he had learned there was a condition annexed to our adherence. I replied I would state the facts to my government & report to him anything that might be sent to me, but at present I could say nothing further. He then said that this question had only been put to him since the intelligence of our recent defeat

had reached Europe; he hoped that the condition which we (Count Rechberg & myself) had discussed at length on a former occasion might be insisted on by us. (For the details of this conversation, see my despatches of Jany., 1860, et infra, where the position of Austria & of all Germany is given at length.) That he had very recently informed the British Ambassador & the Prussian Minister that if the American Government submitted to Austria, at this or any future time, its adherence to the four points of the Paris Conference, on the condition that all private property, of belligerents as well as neutrals, should forever hereafter be exempt from capture on the high seas, that Austria would assent, & use her influence to procure the assent of others—that she could not do otherwise, it being so much to her interest as a non-maritime power to save her commerce in the event of hostilities. He added that, in his opinion, to this Great Britain would not assent. I replied that I was of the same opinion, but that as the principle was right in itself & founded upon the dictates of humanity & common justice, I was anxious to see my government take the lead by suggesting a Maritime Congress of all the Commercial Powers, hoping to be followed by all the non & minor maritime powers, backed by the Commercial manufacturing & shipping interests of all nations, & then leave the question to Great Britain on the one side & progressive civilization & Christianity on the other; but, I repeated, my government would not back me, & I could only hope that at some future day she would take the position which I regarded as immensely to her interests & to the furtherance of her power in the world as the advocate of freedom & universal justice. Aus-

tria, Count Rechberg said, would as a general rule be slow to assent to any new questions disturbing the settled principles of international law, as she was also opposed to the unsettling of Treaties & of established order in favour of de facto or suddenly improvised governments (this was intended as a hint at the recognition of our Southern Confederation to which England & France were supposed to be not unfriendly), but she regarded this maritime question as an exception.

Austria, in fact, has no sympathies with & is disinclined to follow, separately or combined, England, France, or Prussia. The foreign policy of Prussia is subject to the control of England, &, in my opinion, Prussia is put forward in this instance by England, as a German power, to procure the consentment of Austria (who has very great influence with the minor German States) to the policy which Great Britain wishes to adopt in reply to your propositions on the "four points." Of course I learn nothing from the English Ambassador on this subject. His predecessor took exception in 1860 to my inquiries of the representatives of the respective powers in Vienna as to their feelings & views on the question of immunity of all private property on the ocean; and he was so much alarmed at the responses given that he made it the subject of a despatch to his government, though the inquiries were informal & I declared (very much to my regret) that they were entirely unofficial & that I was without instructions from my government on the subject. Had my government backed me at that time, I would have recommended, not a European, but a Maritime Congress of the world, in which America could with perfect consistency be represented. I be-

lieved, in that event, that in less than two years she would have had the support of all the governments of Europe, not excepting France, against Great Britain on this question; & I felt then, as I do now, & as I know all non-maritime Europe feels, that the initiative lies with us because it is in consonance with our principles. Great Britain took the initiative in a local Congress, convened for local purposes, where we were not & could not be represented, in inaugurating new elements of maritime law & committing all Europe to them, the only practical point in which was one to weaken our power upon the ocean in the event of hostilities. These views of mine are known to the British Ambassador here—he knows how earnestly I have discussed them at proper times & places, & he knows also how willing an ear Austria has lent, & how earnestly she has at my request unofficially presented them for the consideration of the other powers of Europe. Count Rechberg told me he would *privately* feel the views of the members of the European Congress (then expected to meet in Paris) on this subject, England having stipulated in advance for its *official* exclusion. I am not as yet apprized of the nature of your propositions; but I was glad to hear, through Count Rechberg, that he was informed a condition was annexed, & I fondly hope it may be the condition before alluded to. If this subject matter should interest you at this time, you will find my despatches full upon it, beginning with Jany., 1860, et seqr.; & I only feel justified now in discussing it at so great length in this despatch by the fact that you have opened it anew & this may be my last opportunity to allude to it in diplomacy. It is my conviction that Great Britain, with her usual precaution, is feeling the

pulse of Europe on the subject before she answers—that she never will give an answer favourable to our power on the ocean, & also that whatever she may give, she will try, in order to add to its moral weight, to commit to it in advance as many European powers as possible. This question, now discussed here, is only intended on the part of England & France to be the prelude to (the question of blockade being the next in the series) the recognition of the Southern Confederacy; an event it is to be hoped may be prevented by a settlement at home in advance.

A street rumour prevails that a lot of old, discarded Austrian muskets have been sent to America for sale on private speculation, but how, by whom, or when, no one can tell me. The points of the recent correspondence between our government & Spain are well known in private diplomatic circles here, & the refusal to publish by our Government leads to comments on the reasons why. No one doubts that Spain has been backed in all she has done & said; her self-complacency warrants the belief that other powers are pledged to come to the rescue in the event of embarrassments which all know she has neither the courage nor the power to face single-handed, or without good back bail for all resulting contingencies.

Colonel Madarász, an adopted citizen of the United States & a native of Hungary, has addressed me a letter complaining of interference by the Austrian Government with what he considers to be his rights as an American citizen, & asks me to demand satisfaction for the same. As he states himself that these infringements do not affect his personal liberty or safety, but are of such a character as to entitle him, in his judg

ment, to damages, I have replied that the correspondence growing out of such a claim would, from its very nature, be prolonged beyond my expected stay in Europe, & recommended him to submit his case to my successor, whose arrival might be expected shortly; but that if he apprized me, at any time, of any interference with his personal liberty or security, I would give it prompt attention. Copies of the correspondence are herewith respectively enclosed.

I cannot close this despatch, as it may be my last on this subject, at the risk of being tedious, without stating distinctly once more what I regard, from long & careful observation, to be the position of Austria relatively to ourselves, & the motives leading thereto (& in this sense Austria means all Germany except Prussia—& on questions of a German character, as against non-German powers, it means Prussia too). She has no sympathy for our institutions, for organically we have nothing in common & our success involves the failure of her system, but the operation of these principles she considers as belonging to the remote future. An inland power herself, she regards the distance & the Ocean as effectual barriers to any encroachment from us; but she has witnessed the potential influence we wield on England & France in moulding the maritime policy of the world, & this, as a first-class power, she regards as her weak point, which puts her always at a disadvantage when she has to contend with European Commercial powers. She believes we have common ends in view, of paramount importance in maritime affairs, & that we are the only commercial power which has no inducement to wield it with a view to affect European complications—that, having no European territorial

interests, no unrepresented colonies to protect, & no selfish ends in view, we can afford to rest upon maritime laws founded on principles of equal & exact justice to all; & the success of such principles she readily perceives would enure immensely to her advantage. She thinks, further, feeling the continual stretch upon the cord which feebly binds together the varied & non-homogeneous elements of her own Empire, that she can recognize a counterpart in us. In the threatened dismemberment of our confederacy she reads the tendency in the end to drive us into alliances with powers having similar interests, against all powers who favour revolutions suddenly improvised or de facto governments; and the present aspect of other European governments towards Italy, Poland, Hungary, & America alike tends to confirm her strongly in this conviction. I may add that as she is still wedded to the idea of absolutism, she thinks the future is more likely to bring us to her than her to us, & that as all republics that have fallen have invariably passed over to absolutism, & never to mixed forms of government, that our lot will be to follow the precedents. These are her views, & although not expressed in so many words, they form the tone & spirit of her intercourse. I have on all suitable occasions, on my own responsibility, concurred cordially in her maritime views. I have repeatedly given her my individual opinion that we must look to non-maritime powers in Europe to aid us in influencing the maritime powers of Europe whose rival interests would always array them against us, & who wish to make & keep maritime law subject to European interest. (See my despatches in 1860 on this subject.) But to her other views I utterly & unqualifiedly dissented, alleging

I never could see any analogy in our confederacies, regarding, as I did, the homogeneity of the American people at the bottom as beyond doubt, & that their dissensions, lying upon the surface only, are consequently of but temporary duration, while, I added, if it be true that republics must end in Absolutism, it would take at least a thousand years to try the experiment in America, & we could then only fail on the hypothesis that men are & ever will be incapable of self-government—a doctrine we most thoroughly repudiated; that, to mention nothing further, all republics which had fallen had had monarchical antecedents, & present embarrassments always look for relief in the statu-quo-ante embarrassments—represented at all times & in all countries by the reactionists; that as we had no such antecedents, & no party to represent them, I could conceive of no such reaction with us unless upon our entire failure. We must revert back to the normal state of barbarism, in which the human race began its social life.

In speaking of the disinclination of England to come to the aid of Hungary, I should have added that the rumoured arrangement that the government of Sardinia is to cede the Island of that name to France, in consideration of the French evacuating Rome, has obtained so strong a hold on popular belief in England as to entirely modify the tone of the English Press towards Austria; & in this connexion the visit of the Archduke Maximilian (eldest brother of the Emperor of Austria & son-in-law of the King of the Belgians) to England is not without its significance. Our troubles weaken the liberal party in England on the one hand, & the French alliance weakens it on the other; & a re-

turn to power of the conservatives in England, with an Austrian alliance, may not be remote in the future. The formidable character which the French Navy has assumed & is assuming has worked up England to the war point—an evil she thinks to be preferred to the loss of maritime supremacy—& if Sardinia is ceded, she will regard it as a casus belli, beyond all peradventure. But this fact, once being known, together with the temporary reaction in Naples, may & probably will change the tactics of the French Emperor, and Rome & Sardinia will remain as they are, & peace will continue. In this connexion, also, the visit of Prince Napoleon to America is significant; for an issue between England & France opens a competition at once for our alliance, & France thinks she has now the inside track. European politics are interwoven & purely artificial, & like the slightest movement of the Kaleidoscope, the least change gives new aspects & varied colours to the whole group.

Earnestly as I desire to return home, I do not feel at liberty to abandon my post in the present crisis, at home & abroad, without the special leave of my government or the arrival of my successor, either of which events will be, personally, very agreeable to me.

Your despatch containing an enclosure from the United States Legation at Jeddo has been received, & the enclosure transmitted as directed to the Austrian Government.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Honble. William H. Seward,
Secretary of State, Washington.

[*Enclosure in Despatch No. 24.—Copy.*]

COLONEL MADARÁSZ TO MR. JONES.

To his Excelency the Minister & Ambassador of the U. S. of N. America at Vienna.

Excelency!

I was borne in Hongarie and am the only son of Hon. Ladislas Madarász late Secretary of State of Hungarie during the Revolution of 1848–9 who has left Europe in 1851 and went to the U. S. of America and after having selected a location in Iowa, resides there ever since.

I also went with my Father there as a minor in the meantime my Grandmother from my Mother's part deceised Baroness Majthényi did in Hongarie in 1855 and leaving me the only heir of her's. I visited Hongarie and toock possession of the Estate, after many difficulties I wounded up and retourned to my new Country & home, to the U. S. of America, wich I left in this year wanting to visit several of my relations, friends and accountences,—I came to Hongarie in February 1861 as my Pasport will show. Since that time I never had the least difficulty nor trouble until now. I wanted to give full information to your Excelency and now I have the honor most respectfully to inform your Excelency of the fact pased with me on the 26th day of July 1861.

I was on a visit in Paks at the residence of my Onkle Hon. Joseph Madarász (a member of the present Congress of Hongarie). On the 25th day of July an Austrian Gensdarme came there and wanted to hand me several papers from the Taxes Executing Commission,

the acceptation of which I refused saying that I am a Citizen of the U. S. of America and if they have anything to hand me they shall send them to the Legation of the Union at Vienna, and if your Excelency will send them to me of course I will most respectfully accept the same.

On the following morning that is on the 26th day of July 1861 an other one came wery early, wanting to know why I refused the acceptation of the above papers,—I told him that I am an American Citisen, he said he can believe it or not just as he likes,—I then went to my Carpetbage several yards distant from there and opening the same I toock place in my bed again and showing pasport,—but he saw in my open left carpetbage two pistols and going there he took them out of it,—I asked what he wants with my pistols, he answered he will tack them in charge for I maight get a notion to shout him with them,—I replied no danger, but he said let that alone, and now I forse you that you shall signe this papers wich are the Certificate that you have received such and such papers,—I signed the papers and he left the house coursing taking my two pistols with him.

I got up and toock a walk, in the meantime he went to the Captain stationed there for the Taxes execution, and related him that I wanted to shout him, and he produsced my two pistols telling that he took them away by way of forse,—the Captain ordered a patrol to go with the above Gensdarme to take me in charge and to bring me as a prisoner to him,—the Soldiers with the Gensdarme went to my Oncle's residence but did not find me for I was out in town,—and as soon as I thought the taxes executing Commission wood be there

I went to the Courthouse demanding my pistols back and satisfaction and also telling them that they had no wreight to send me those papers and have forsed to accept them, the above Captain of the Austrian Army stationed at Paks for executing the paiment of taxes by way of forse, said if I wood speak with him in such manner, he will have me taken a prisoner and will send me to Vienna in Iron.

I took my almoghty pasporte and showing the same asked him if he tought of the responsibility of such violential acts, he answered he don't care if they will shout him or hang him, he would do it if it pleased him,—then I demanded if I am a prisoner he said no I may go to hell—I left the gentlemen without asking or saying another silable.

This is the plain fact and nothing but the trouth and now I beg most respectfully for satisfaction.

I leave the whole matter to your Excelency's best believe, who I am fully convinced will do all the necessary steps that our country and her peacefull Citizens shall be respected everywhere.

I shall not write to any other person not even to our President Lincoln untill I will receive the answer from your Excelency wich I beg for in the wery shortest time to *Kun Szent Miklós* Hongarie hoping to receive satisfaction and inclosing a copie of my declaration to become a Citizen of the U. S. a copie of my Citizen paper and a copie of my pasport, all the originals are in my hands and in case of need I can forward them to your Excelency on demand.

I remain,

Your Excelency's Most respectfull Countryman,

Col. Wm. Madarász.

[*Enclosure in Despatch No. 24.—Copy.*]

MR. JONES TO COLONEL MADARÁSZ.

LEGATION OF THE UNITED STATES,
VIENNA, Aug. 6th, 1861.

SIR:

I have the honor to acknowledge the receipt of your letter without date, enclosing copies of the certificate of your declaration of intention to become a Citizen of the United States, of your naturalization, and of your passport respectively, and asking for my interference in your behalf as an American Citizen, claiming satisfaction from the Austrian Government for certain malfeasances of their officials in Hungary affecting your rights as an American Citizen, &c., &c. In reply, I can only reassure you that the Government of the United States will always hold itself ready everywhere to protect any legal right of person and property appertaining to any of her citizens.

Your case, however, is one which appears not immediately to affect your personal liberty, but is rather in the nature of a claim for satisfaction for past grievances. This class of cases always leads to a protracted correspondence, extending often over a year, and as I have received my recall and am only waiting for the arrival of my successor (who is weekly expected) in order to take my leave and place the Legation in his charge, it would be impossible for me in the meantime to obtain even a first answer from the Government of Austria touching your case, for want of time. I will place the papers therefore on file and draw the attention of my successor to the case, who will have ample time

& every disposition to give it his prompt & energetic attention. In the mean time, however, if anything should transpire affecting your personal liberty or right of returning in peace and safety to your adopted country, and you have me apprized of it, I will give it my immediate attention, as that class of cases always warrants a prompt personal demand for immediate reparation.

I am, very respectfully,

Your obedient Servant,

(Signed) J. Glancy Jones.

MR. JONES TO SECRETARY SEWARD.

No. 25. Legation of the United States,
Vienna, Sept. 2, 1861.

Sir:

I have the honour to acknowledge the receipt of your despatch No. 14, dated August 12th, 1861, informing me of the appointment of Mr. Motley to be my successor —that he will without much delay relieve me of my mission, & will be clothed with full power to treat with the Austrian Government, &c.—approving of my official conduct, & authorizing me, in the mean time, to inform that Government of the views entertained by our government relative to three of the points of the Paris Conference of April, 1856—to wit, 1st, Neutral flag; 2d, Neutral goods under Enemies' flag; 3d, Blockades—and also instructing me to assure the Austrian Government that the course pursued by it relative to our affairs is most highly appreciated, & will be reciprocated by our government.

In accordance with this authorization & instruction, I have addressed a despatch to the Imp. & Royal Minister of Foreign Affairs, a copy of which is herewith enclosed. I shall proceed forthwith to prepare myself for Mr. Motley's reception, &, after taking leave of the Emperor, shall repair to the United States with as much expedition as possible.

I hope to be able, therefore, to reach Washington not later than in the fore part of December next, & shall be pleased if the usual order be given by you immediately, through the Treasury Department, to the Collector at New York, to pass my baggage, &c., containing my private property.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Honble. William H. Seward,
Secretary of State, Washington.

[*Enclosure in Despatch No. 25.—Copy.*]

Legation of the United States,
Vienna, Aug. 30th, 1861.

The Undersigned, Envoy Extraordinary & Minister Plenipotentiary of the United States of America, has the honor to inform his Excellency, Count Rechberg, Imperial & Royal Minister for Foreign Affairs, that his Government has appointed J. Lothrop Motley to be his successor at the Court of Vienna—that Mr. Motley will reach Vienna without much delay, and will be clothed with full powers to treat with the Imperial Government of Austria on all the questions recently

discussed & referred to between the said Governments of the United States and Austria, with the conviction, on the part of the former, that they can all be disposed of satisfactorily & to their mutual advantage.

The Undersigned is authorized in the meantime to say to his Excellency, Count Rechberg, that the Government of the United States adheres now, as heretofore, to the three principles enumerated by him in his speech before the Imperial Reichsrath of Austria (the substance of which was reported by the Undersigned to his Government), namely:

1. The neutral flag covers enemies' goods with the exception of contraband of war.

2. Neutral goods not contraband of war are not liable to confiscation under enemy's flag.

3. Blockades, in order to be binding, must be effective. With the distinct understanding, however, that no construction is to be put upon the latter point which may impair the right of the Government of the United States (which it will never concede) to close all or any of its own ports by blockade, or otherwise, for the purpose of suppressing the existing insurrection.

The Undersigned is instructed to assure the Imperial Royal Government of Austria that the President has received with great satisfaction the assurances of the just purposes & good will of Austria towards the United States, as communicated to the Undersigned by his Excellency, Count Rechberg, & also through the Austrian Minister at Washington, Mr. Hülsemann, & to add that it is the purpose of the Government of the United States to cultivate the best understanding with all nations which respect our rights, as that of Austria does.

The Undersigned avails himself of this occasion to renew to his Excellency, Count Rechberg, the assurance of his distinguished consideration.

(Signed) J. Glancy Jones.

To his Excellency Count Rechberg,
Impl. & Royal Minister of Foreign Affairs.

MR. JONES TO SECRETARY SEWARD.

No. 26. Legation of the United States,
Vienna, Septr. 16th, 1861.

Sir:

In my despatch No. 24, dated August 26th, I traced up the action of the Hungarian Diet to the answer & rejection of the propositions of the Rescript, & stated that no doubt was then entertained that the Diet would be dissolved. Since then the Diet has been dissolved by the Emperor, with a reassurance that the position taken by the Imperial government, on the basis of the Diploma of Oct., 1860, & the Patent of Feb., 1861, would be inflexibly maintained, & that his Majesty would convoke a new Diet in about six months. To this the Diet contented itself with simply entering its unanimous protest, & then dissolved.

The Emperor has since addressed his Reichsrath, reviewing the whole subject of the Hungarian complication. The answer to the Rescript & the Protest make up the appeal to the civilized world on the part of the Hungarians; this latter message of the Emperor to his Reichsrath is intended also as his Manifesto to the same tribunal of public opinion. This message is

now being debated by the Reichsrath, & with a freedom of speech that will astonish most people outside & all who read it inside of the Austrian dominions.

The Reichsrath will sustain the Emperor & the Rescript, & so the issue will be committed to the future. Hungary is not in a condition to resort to arms now, & instead of revolution she will try agitation. A copy of the message of the Emperor to the Reichsrath, including the Rescript of dissolution, is herewith enclosed in translation.

I have thus sent in translation all the official documents emanating from the Austrian Government on this Hungarian complication, beginning with the Diploma of Oct., 1860, & ending with the above message to the Reichsrath. I have omitted the replies of the Hungarian Diet, as well because of their interminable length as because they are only negatives of the documents furnished, & because, also, they are not official acts of any recognized government in the family of nations.

In former despatches I have referred to the conviction I have of the anxiety of the ruling powers of Europe, particularly of England & France, to see us divided into two republics, & their willingness to recognize the southern confederation at the earliest practicable moment. I also stated that October next was regarded as the latest convenient point to which the blockade could be allowed to extend without doing serious damage to their own manufacturing interests. Since that Despatch was written, a change has taken place. They have now concluded, since our late reverses, that separation is reduced to a certainty & is only a question of time. They wish as a preliminary,

therefore, to recognition, provided it involves no risk, to avail themselves of the present cotton panic to stimulate the growth & export of cotton from Brazil, Egypt, & India, so as to at least divest the new confederate states, when they enter the family of nations, of a cotton Monopoly. The wish is to have a divided power in America, but that England may not be dependent in the least degree on either, & hence the recognition will be postponed until the manufacturing classes shall have reached the starvation point (when that will be I know not, except that it will not be in 1861), for which they are to be compensated, in the hope of preventing a recurrence of the same calamity, by the use made of the present inflated prices to invoke into the commercial arena the products of labour now dormant & of cotton-producing fields now lying fallow, & thus forestall future monopolies. This will postpone recognition, but not defeat it. If the blockade should be lifted at home, it would, seemingly, diminish the chances of recognition & the hopes of it at home, but it might, in reality, only hasten it here, for that event is desired by the ruling powers here at all hazards, & if a revival of commerce & of manufactures, inspiring hope & bringing content to the masses, should threaten to render public opinion adverse to future recognition, it would only operate as an incentive to precipitate action.

I enclose herewith a copy in translation of a note from the Imperial Minister of Foreign Affairs in reply to my despatch announcing the appointment of Mr. Motley as my successor. I have intelligence from Mr. Motley that he may not be able to reach Vienna before the latter part of October. This may

delay my departure a little longer, but still I hope to reach Washington some time in December.

Very respectfully,
Your obedient servant,
J. Glancy Jones.

Honble. William H. Seward,
Secretary of State, Washington.

[*Enclosure in Despatch No. 26.—Translation.*]

COMMUNICATION TO BOTH HOUSES OF THE AUSTRIAN REICHSRATH IN RELATION TO THE DISSOLUTION OF THE HUNGARIAN DIET

His Imperial Royal Majesty, moved thereto by recent transactions in the Hungarian Diet, which have made some decisive measure an absolute necessity and duty, has been pleased to charge his ministers with the duty of communicating to the Two Houses of the Reichsrath the contents of the Royal Rescript, which was issued upon the 21st of August and published in both Houses of the Diet on the 22d of the same.

This Rescript in literal translation is as follows:

Dear & Loyal:

Forasmuch as the Hungarian Diet, after a session of more than four months, has not corresponded to the demands addressed to it, and forasmuch as We, to our great and heart-felt sorrow, cannot await any further action truly beneficial to Hungary from a Diet which in these times of difficulty mistakes its vocation, to the so great injury of all who are interested in it, so far as to declare all the threads which might have led to a

settlement of the difficulties to be broken because demands could not be acceded to which in their gravity were wholly inadmissible, We, therefore, find ourselves compelled to dissolve the Diet, which was called together on the second of April, while reserving to ourselves the calling together a new Diet, according to circumstances, in the course of the next six months.

VIENNA, August 21, 1861.

(Signed) FRANZ JOSEPH, m.p.
(do.) COUNT ANTON FORGÁCH, m.p.
(do.) IGNAZ ROHONCZY, m.p.

At the same time, his Majesty has been pleased to charge his Ministers with imparting the following carefully considered reasons for the decision of his Majesty, and the fundamental principles of the political action which will be adopted by the Governments in the future.

It is with profound sorrow that His Majesty has perceived that the public affairs of his Kingdom of Hungary, since the reëstablishment of its ancient institutions, have fallen into a condition which the country cannot much longer bear, and from which by its own power it cannot emerge. Commerce and industry are blocked; internal and international trade are a prey to a lamentable instinct; confidence in the administration of justice is shaken; the administration of the communes, comitats, and the country offers in many places, through an unexampled abuse of self-government, the deplorable spectacle of a sad recklessness; the falsely called legal protests against the decrees of the organs of the royal Government enervate the moral strength of the people.

There was no reason for his Majesty to expect the development of such a condition of things, when, October 20th, 1860, resolving to grant to all his peoples a participation in legislation, he held out the forgiving hand also to the Kingdom of Hungary, which, in a disastrous insurrection, went on even to the crime of April 14, 1849, and had to be brought back to its duty by force of arms. Relying upon the words of patriots of all classes, of the princes of the Church, and of other intercessors, who declared that the inevitable results of the above-mentioned events had become clear to all, as to the Unity of the Monarchy and the form of constitutional reorganization, His Majesty proposed, as regards Hungary, to revive her ancient institutions as organic elements of a political creation more vast, and capable of satisfying the wants of an Epoch which has made immense progress, and the legitimate desires of all the nationalities, and the imperious demands of the actual political state of Europe.

With that self-consciousness which a benevolent monarch who has honorably fulfilled his duties as regent feels, His Majesty declares that he has done for Hungary all that with right could be expected which could be done in justice to other Kingdoms and countries—all that the political development of the Empire demands. His Majesty has restored the constitution of Hungary, its rights & liberties, its Diet and Municipal institutions. His Majesty has done this with one single condition reserved.

The object of this reserved condition is not to increase the unlimited power; but, the action of the national representation having considerably increased, especially as regards taxes and other financial questions,

it requires that the constitutional right of voting in matters common to all nationalities shall no longer be exercised separately by provinces, but in common.

The national independence and development of Hungary are not in any manner whatsoever infringed upon by this reservation, for the constitutional deliberations in common only bear upon questions relating to military duties, political economy, and the finances of the Empire, while all other questions come under the authority of the Hungarian Diet.

This reservation does not restrict any of the liberal dispositions of the legislation of 1848, which are the most important part of it—that is to say, the suppression of peasant duties & services, the abolition of the privileges of the nobles, the obligation of military service and taxes for all, as also the right for all classes, without distinction of origin, to enter the public service and hold landed property. On the contrary, these regulations have been expressly recognized & confirmed at the same time by his Majesty.

Nor does this reservation endanger anything connected with constitutional liberty; especially does it not threaten the right of those classes participating in the elections for the Diet who were formerly excluded, and which right was in fact exercised at the present Diet; it simply requires the revision & suppression by the Diet of those articles which are in contradiction to the new fundamental laws.

It is clear that a reservation of this nature does not rest upon an arbitrary decision, but that it is founded upon right and derives its origin from the very nature of things. It is founded on right, for his Majesty has spontaneously resolved to reëstablish the Hungarian

Constitution. The Hungarian Constitution was not only broken by the revolutionary power, consequently legally cancelled, but *de facto* suppressed. His Majesty, therefore, to prevent the recurrence of similar events to those which arose from the laws of 1848, was in duty bound, in fulfilment of his high duties as a Monarch, to issue enactments to such effect—enactments required by the prosperity, greatness, power, & honor of the Empire, its present safety & future welfare.

His Majesty having therefore in his paternal goodness, by the Diploma of the 20th of October last year and under the condition of that reservation, reëstablished the Constitution, and having immediately convoked the Hungarian Diet for the 2d of April of the current year, it ought to have been the well understood duty of the latter, consequent upon the above-mentioned reservation, to submit the articles of law irreconcilable with the Diploma, conformable to a wise policy & enlightened judgment, to that revision upon the basis of which it might have been possible to come to an understanding on an inaugural diploma in harmony with the new position of affairs; thus to eliminate from the Constitution the articles dangerous to the maintenance of order—enactments unjust and intolerable for other than the Magyar people—to do away with the remains of by-gone ages, to succeed in creating a renovated Constitution, keeping at the same time with the power of Austria the Autonomy of Hungary, restricted within certain limits,with a view to sanction simultaneously the new regulations based upon the remnants of past ages and thus lay the groundwork for a prosperous future.

Instead of which, the Diet, after three months of

existence, and in discussions which were of a nature only to throw new difficulties in the way of an understanding, announced its intention of adopting the legislation of 1848 as its basis, a legislation which has nothing to do with that venerable Constitution sworn to by the forefathers of His Majesty, and which, with all its exaggerations, could not fail to lead to the renewal of lamentable scenes. It demanded the recognition without reserve of that legislation, without taking into account the necessary consequences of a fatal historical fact; it finally lost all control over itself, and went so far as to adopt an address in which not only the Deputies, but also the Members of the Table of Magnates, who are indebted for their dignity almost without exception to his Majesty and his ancestors, even dared to refuse to their Emperor, King, and Lord, with an audacity hardly credible, the title of his Imperial & Royal dignity, which no power on earth has hitherto called in question. It is true that the Diet, after serious exhortations, gave to that address a form at least which rendered its acceptance possible.

But after his Majesty, with a forbearance unexampled in history, had expressed his opinion openly and sincerely on the temper of that address, and had pointed out to the Diet the only path whereby it would have been possible, conformable to the positive claims of justice and at the same time to the counsels of wisdom and prudence & equity, to bring the political relations of the country in accordance with the constitutional wants of the monarchy, the Diet declined the invitation to place itself in that loyal point of view which alone could lead to the desired end. On the contrary, the Diet persevered in its demands, insisting upon the

recognition in principle of the legislation of 1848, without reservation of the revision of the Articles in opposition to the Diploma.

Moreover, those articles, even were His Majesty in his benevolence willing to admit them, could not & cannot be recognized, confirmed, or made valid, because from their tenor in their dispositions relating to the Palatine they attack the sovereign and prerogative rights of the Crown of Hungary; because, moreover, they are offensive to the people not Magyars, and infringe upon the rights of the Monarchy as a whole.

His Majesty declares that in his quality as King of Hungary he feels himself called upon to protect the many millions of Slav, Rouman, & German inhabitants living in this land and equally dear to his heart, & to maintain them with his paternal benevolence in their equal rights to the recognition of their nationality, which the articles of the law in question not only do not guarantee, but upon which they make a serious attack.

Nor can his Majesty confirm those articles of the legislation of 1848 which have for their object to prejudice the parity of right of the Kingdoms of Croatia, Slavonia, and the Principality of Transylvania, which, as all men know, are of so offensive and irritating a nature that they led to war eleven years since.

Among the articles in question there are some which appear to be of a nature to try and slacken the relations between Hungary and other lands of the Monarchy which have existed for centuries, which raised Austria to the rank of a great European power, which have been expressed in a series of laws and documents, especially in the Pragmatic Sanction incorporated in

the articles of law out of gratitude for the deliverance from the Ottoman Yoke achieved by the arms of the House of Hapsburg and the assistance of the Empire, & which in historical annals have been confirmed a thousand times over.

Those laws and documents, without detriment to the independent administration of Hungary, having had as a consequence one common general government, and especially not only a common diplomatic representation abroad but also the same administration, military & financial, and public debt in common, it is clear that the recognition of the Articles of the legislation of 1848, which infringe upon the rights & interests of the provinces comprised in the Pragmatic Sanction, without regard to the latter, who shed blood and sacrificed life for it, according to the immutable laws of justice would be inadmissible.

To this must be added the circumstance that His Majesty has declared that the combined constitution is the inviolable foundation of his empire, one and indivisible, and regards the demand of the Hungarian Diet as an attack upon that constitution, and consequently upon all the other lands and provinces of the Empire.

Although the Hungarian Diet has not thought fit to enter into the path of conciliation offered by the Government, but on the contrary has declared the threat of negotiations to be broken asunder, His Majesty nevertheless desires to maintain in Hungary, as in other countries of the Empire, constitutional principles, trusting that the country will return to more reasonable opinions. It is not His Majesty's wish to amalgamate all the different countries of the Empire into one single

body without distinction, but rather to preserve to Hungary as well as to the other countries their distinct character; but His Majesty, in the interest of the latter as well as of the former, must not only protect the bonds which link the two, but strengthen them by constitutional measures.

I. The fundamental laws of the 20th October last year and of the 26th February of this year remain intact. Nor does His Majesty withdraw from Hungary the concessions granted after mature reflection and with a serious will.

The refusal of one country to participate in the legislative labors of the Reichsrath could not prevent the representatives of other lands from fulfilling their duties and exercising their constitutional rights. Moreover, the right of being represented in the Reichsrath rests reserved for all lands as soon as public opinion is sufficiently enlightened and the necessity of such representation admitted, and which will induce them to participate in the councils of the Reichsrath and join its deliberations.

No change in the Constitution, whether in the sense of a more extended autonomy of parties or in favor of the competency of the whole, will be allowed by his Majesty except by constitutional measures, that is to say, by the Reichsrath and its vote.

II. His Majesty is the more determined to refuse his Royal sanction to the stipulations of the legislation which are in contradiction to the prerogatives of the Crown, to the rights of other countries of the Monarchy and of the whole Empire, as also to the interests of the non-Magyar population of Hungary, & which require revision, as they could not be carried out except by force.

On the other hand, His Majesty declares, with the same decision, that no obstacle shall be thrown in the way of those stipulations which are in accordance with the fundamental laws, but that on the contrary, many of the stipulations of the legislation of 1848 having already been previously sanctioned by the patents of the 20th October of last year, His Majesty is likewise disposed to sanction the others; for which end they must be selected in their ensemble so as to be suited to the actual state of things, that the next Diet may bring them forward for that sanction by constitutional measures.

III. But after the Diet assembled at Pesth has declared its resolve to persist in its opposition to the new fundamental laws, although its existence rested only on the condition of the reservation expressed in the Royal rescript, and as, by such an attitude, the Diet has rendered the establishment of an inaugural diploma impossible, and consequently the proximate coronation, under the pretext of a condition which never existed *de jure* or *de facto*—that is to say, the condition of the personal Union—considering that from these grounds the Diet, instead of conscientiously accomplishing its political task, has entered into a lamentable path from which there is no outlet, His Majesty has found himself forced to decide upon and ordain the dissolution of the Hungarian Diet.

But his Majesty still hopes that public opinion will return from its errors, that the public mind will calm down, and that shortly it will be possible to convoke a new Diet, which will be called upon to fulfil the duties which the dissolved Diet has disavowed & neglected in the most unjustifiable manner. More-

over, His Majesty has given the most peremptory orders for the reëstablishment and maintenance of order by the Government authorities.

In ordering the present communication to be made to the illustrious Reichsrath, His Majesty desires again to express to it his firm resolution to shield, consolidate, and accomplish the unity of the Empire as well as the legal Autonomy of all the lands and Kingdoms within the limits of constitutional liberty.

His Majesty deigns finally to declare that, strengthened by the knowledge of the purity of his intentions, convinced that it is one of the noblest prerogatives of power to exercise necessary severity with a gentle hand, yet at the same time it is the duty of a monarch to show decided firmness, and fully resolved in this important question to show as much firmness as clemency, he looks forward with certainty and trust in God to a happy solution of these difficulties.

[*Enclosure in Despatch No. 26.—Translation.*]

COUNT RECHBERG TO MR. JONES.

VIENNA, Sept. 2d, 1861.

The Undersigned, Minister of the Imperial House and of Foreign Affairs, has had the honor to receive the note in which the Envoy Extraordinary and Minister plenipotentiary of the United States of America, Mr. J. Glancy Jones, under date of 30th ultimo, was pleased to communicate to him the appointment of Mr. J. Lothrop Motley, as Envoy Extraordinary & Minister Plenipotentiary of the United States to this Court.

While it affords pleasure to the Undersigned to be

able to reply to the Hon. Minister that this choice meets the approval of His Majesty the Emperor, he takes the opportunity to add that he feels it personally to be a duty to cherish in case of Mr. Motley also those confidential relations which will correspond to those so friendly in their nature now existing between Austria & the United States, to the great advantage of both.

There will not be wanting on the part of the Undersigned that interest in and earnest attention to the communications which it is stated Mr. Motley will bring with him which the importance of their subjects in so eminent a degree demands.

The Undersigned cannot close without again expressing the lively regret with which he sees approaching the end of the so agreeable & serviceable relations which he has had the pleasure of enjoying with Mr. Glancy Jones, & embraces the opportunity of renewing to the Hon. Minister the assurances of his distinguished consideration.

(Signed) Rechberg.

Mr. J. Glancy Jones,
Envoy Extraordinary & Minister Plenipotentiary of the United States of America.

MR. JONES TO SECRETARY SEWARD.

No. 27. Legation of the United States,
Vienna, Novr. 5th, 1861.

Sir:

Mr. Motley, my successor, arrived in Vienna on the evening of the 31st of October. On the 3rd of Novr. (the day fixed by Count Rechberg for receiving him)

I accompanied him to the Foreign Office, and having first presented my letter of recall, informing Count Rechberg of the desire of my government to continue its friendly relations, I introduced Mr. Motley & retired, leaving him with the Foreign Minister. Count Rechberg was pleased to express his regret at my departure; but as this was decided, my successor, he said, would be most cordially received. He added that the Emperor would be pleased to grant to me an audience of leave, & that as soon as it could be arranged he would notify me. I shall transfer to Mr. Motley, as soon as he is prepared to receive them, the archives of the Legation, & shall immediately after my audience take my departure for America, my intention now being to sail in the Steamer Arago, of the 10th Decr., from Havre.

Since my last despatch, No. 26, nothing has transpired that does not confirm the accuracy of my former observation, that although at present England & France are apparently receding from the idea of the recognition of the independence of the Southern confederacy, it is nevertheless only *apparent*. They do not wish to inaugurate a quarrel with the North. The facility with which we extemporize an army of citizen soldiers, & the condition of the finances, which promises to be able to sustain them, are inauspicious signs to them & strengthen the desire for friendly relations. They have made up their minds, furthermore, that our separation will become an inevitable necessity; & believing this, they prefer that it should gravitate of itself, without involving them in future complications with either section. If I am not mistaken, & no new issues arise, you will now have an era of kind words—a modified & subdued tone of the press touching American Affairs—

both in England & France. The South will be even *kindly* attacked & alarmed by the repulsion of the idea that these powers can be, in any contingency, coerced by the withholding of cotton, or induced from motives of selfishness, or interest generally, to do that which they would not do from motives alone of justice & international right. All this, if I am not again mistaken, means that the separation being regarded as "un fait accompli" (to be completed by its own progression), it is deemed now desirable to be on good terms with both & independent of each of the confederacies—& to take immediately the first essential steps in diplomacy to enable them successfully in the future to play off the one upon the other. If successful, this date inaugurates the era of an American balance of power, which, being based upon the dissolution of our confederacy, involves us in irretrievable ruin, unless the indignation of our whole people, North & South, can be aroused in time to save us against our common enemies at home & abroad.

Very respectfully,

Your obedient servant,

J. Glancy Jones.

Honble. Wm. H. Seward, *Secretary of State.*

MR. JONES TO SECRETARY SEWARD.

Arch Duke Charles Hotel,
Vienna, 14 Nov., 1861.

Sir:

This being the day fixed by his Majesty at 1 Ocl. P.M. for my audience of leave, I duly presented my sealed letter of recall to him; stating, as instructed, that

my Government appreciates to its fullest extent the friendly feelings exhibited by the Austrian Government towards it, & that I was instructed to say, on taking leave, that my Government desired not only to continue these friendly relations, but even, if possible, to strengthen them.

His Majesty was pleased to say that He earnestly desired to extend still further these friendly relations, & particularly he hoped that our commercial relations might be increased. He asked me a number of questions about the War & conversed with great freedom, but, of course, dealing only in generalities. He was pleased to express his regret at my departure, &c. The audience of my successor was fixed half an hour later the same day. I have thus closed my official intercourse with the Government here, & have transferred the Legation over to my Successor. I have been confined to my house for a few days, & am still under medical treatment for a rheumatic affection, resulting from a violent cold, which, while it does not much affect my general health, disables me for locomotion. My Physician informs me I shall be able to leave Vienna in a week, & I have no doubt I shall be able to sail by the Steamer of the 10 Decr. from Havre. The Exequatur of Mr. Hildreth has been issued & by me lodged with the Legation.

I am, Sir,

Your Obt. Svt.,

J. Glancy Jones.

Hon. Wm. H. Seward, *Secretary of State.*

MR. JONES TO SECRETARY SEWARD.

New York, 28 Dec., 1861.

Sir:

I arrived at New York per Steamer Arago on Thursday night, & intended proceeding to Reading, my home, on Monday next, and then, after spending a few days with my family, to proceed to Washington & close my mission. Being accompanied by Gen. Scott, who was directly from Paris, & knowing that the Ministers of the U. S. Government at Paris & London would furnish the latest intelligence, & that Gen'l Scott would be better posted, I did not attempt to collect any definite information relative to our affairs, & hence have nothing to report that could possibly interest you or add to your information. England had determined upon the demand for the surrender of Messrs. Mason & Slidell, & France considered her demand a proper one, but one in which she was not called upon to interfere. If any service can be performed by me by my appearance at Washington at an earlier date, a telegraphic despatch to Reading will bring me at any time on a day's notice.

I am, Sir.

Your Obt. Svt.,

J. Glancy Jones.

Hon. W. H. Seward, *Secy. of State.*

LETTERS FROM JAMES BUCHANAN TO J. GLANCY JONES.

UNITED STATES LEGATION,
LONDON, June 23, 1854.

MY DEAR SIR: Many thanks for your kind note of the 6th instant. I wish you would often drop me such brief notes giving me a bird's-eye view of affairs, which you could write in five minutes at your desk.

The Elgin treaty has been received with great favor by the public journals of this country. His Lordship is a very able man, and went to Washington, I believe, with great discretionary powers. He is very shrewd, but entertains warm friendly feelings for the United States, and has expressed them on all occasions in this country. He is the best public speaker in point of manner, I have heard in England, but this is not saying very much for him. I was at a public dinner last evening, given by the Lord Mayor to the Bishops, which was as dull an affair, and the speaking as heavy, as I have ever witnessed on any similar occasion. By great good luck I avoided making a speech.

I do not know why the President quoted me as an authority that the introduction of coal duty free would not affect Pennsylvania. Doubtless he has heard me express this opinion, or he would not have made the remark.

If so, it must have been the opinion, which I hold, that the Nova Scotia bituminous coal can never injuriously compete with the anthracite of Pennsylvania. I have not yet been informed of the provisions of the treaty, as the fishery and reciprocity questions were retained at

Washington. I have, therefore, only a general idea of its contents. I earnestly hope I shall be satisfied with them.

I was astounded when I learned the result of the Philadelphia election. I had entertained apprehensions of the result, but had no conception that the majority against us could be so great.

On public considerations I am very sorry for the loss of the ticket; and for personal friendship for Herst and Badger I deeply regret their defeat. The Know-Nothings may exert an unfortunate influence for some years to come.

I have nothing of the least interest to say concerning myself. My duties, both social and official, are very laborious. The former will not be oppressive after another month, when the London season will terminate and the nobility and gentry will all leave London.

With my respectful regards for Mrs. Jones, I remain as always, very respectfully your friend,

JAMES BUCHANAN.

LEGATION OF THE UNITED STATES,
LONDON, Dec. 8, 1854.

MY DEAR SIR: In answer to your favor of the 7th ultimo I have to say that I got Mr. Bates, the leading partner of the house of Baring Brothers & Co., closely connected with the Bank of England, to make the examination which you requested. His answer, under date of first instant, is as follows:

"I have the pleasure to inform you that I have made the inquiries you desired at the Bank of England, and have been unable to find any money or funds in any

department of the bank to the credit of 'Evans's estate.' This is rather a vague description, and if any further information is desired, the parties should give more particulars."

The truth is that the credulity of our people, perhaps excited by the interested rumors set afloat from here, has induced them to expend large sums of money in pursuit of old and vast estates in the moon. The Jennings estate and the York and Lancaster estate have nearly passed away; but, if I may judge from the letters I have received, independently of your own, the Evans estate is about to take their place. This may not be moonshine; but the only mode of ascertaining the truth is to employ some eminent solicitor to investigate the subject. The profession enjoy a monopoly here of such investigations. Title deeds are in their possession instead of being recorded, and no man of business in London ever thinks of making such investigations for himself. Besides, the expense is far greater than our experience in the United States would induce us to credit. The Legation could not undertake the task if you would quadruple our force. I will, however, from special regard to yourself, make one suggestion. If you can obtain sufficient information about this Evans estate to afford a clue for the investigation, and the persons interested will send me a bill of exchange for £15 sterling in favor of Messrs. Atkinson & Pilgrim, eminent solicitors in London, whom the Legation employ when they have any business, I will undertake, without having seen them, that they shall make a thorough investigation. The expense incurred by them in doing it will amount to the greater part of this sum.

I have no public news to communicate which you

will not see in the public papers. If the President has communicated to Congress my correspondence with Lord Clarendon on the Central American questions, I would thank you to send me several copies through the despatch bag. They would arrive here at the very nick of time to be useful.

I see it stated in the American papers that I intend to return home next spring. This was never my intention. My two years in this legation will not expire till the end of August, and it is my purpose to remain here until the 30th Sept., the end of the quarter, and return in October, unless at the time something should be pending which it would be improper for me to leave. From your friend, very respectfully,

JAMES BUCHANAN.

LEGATION OF THE UNITED STATES,
LONDON, Jan. 11, 1855.

MY DEAR SIR: I have received your favor of the 16th ultimo, and, although without a Secretary of Legation and having more business of different kinds to transact than one man can accomplish, I cannot deny myself the pleasure of congratulating you upon the proud position you now occupy in public opinion. I should not do this did I not believe it was well deserved. Those who formerly expressed doubts of your political, not of your personal courage, must have had all these removed by your conduct, as wise as it was bold, since you reached Washington. May your course be onward and upward.

I now receive many more letters from the United States than I can possibly answer. This grieves me

much, because I pride myself on being a punctual correspondent, especially with my friends. Should you hear any complaints, I know you will make my excuse.

You present a numerous and formidable list of Presidential candidates who "will all be discussed." For my own part, I have not allowed myself to indulge a single personal aspiration on the subject, and shall be more than content should the choice fall upon any other man "fit for the crisis." Still, as my friends in Pennsylvania have brought me forward "upon their own hook" it will be a proud consolation to me in any event that the Democracy of the great and good old State have not deserted me "when I am old and grayheaded." This will make retirement doubly sweet. Besides, it will give to the true Democracy of the State their just influence, provided they remain united, both in the State and in the Union.

I intend to leave London for Paris and the Continent about the middle of next month to meet my nephew, J. Buchanan Henry, who is already there. As he speaks French like a Parisian and Italian tolerably well, it will be very agreeable to me to have him with me. I have never seen a young man better calculated in all respects to be a diplomatist; but he has not any idea of commencing this career, and seems intent on pursuing the profession of the law. I have often thought of suggesting to you the mission to England, for which you are well qualified; but have refrained from doing so because you are so much needed at home. If to the present salary there were added house rent, this would not be an undesirable position, even in a pecuniary point of view. Besides, this Legation and that at Paris, for the convenience of American citizens, ought to have

a permanent abode, and not be changed with every succeeding Minister. The frequent removals of it disarrange the papers, and do injury in a variety of ways. I now pay £740 ($3,581.60) for a furnished house and a stable. If I could have taken a lease of such a house for twenty years for the Legation, I am quite satisfied it might have been obtained for £500.

Deeming that it could do you no harm in any event, and whether elected to the Senate or not, I have suggested your name in proper terms to Gov. Marcy, but have truly said: "I make this suggestion without the knowledge of Mr. Jones, and without having the least idea whether it would be agreeable to him or not."

We shall, I think, have peace in Europe before the season for opening another campaign. France and Turkey both desire it, and Russia much needs it. John Bull, however, is anxious for another campaign to recover his prestige. He has gone to immense expense in preparing for it, and is now in a better condition to prosecute the war than he has probably been for half a century.

With my kindest regards to Mrs. Jones and the family, and to your Democratic colleagues from the Keystone, I remain, very respectfully, your friend,

JAMES BUCHANAN.

LEGATION OF THE UNITED STATES,
LONDON, 4th May, 1855.

MY DEAR SIR: I have received your favor of the 11th ultimo and am pleased to learn that the American people begin to interest themselves about Cuba. The

Ostend report was prepared with much deliberation after we had possessed ourselves of all the information within our reach. We were unanimously of opinion that the time had arrived when a solemn and formal offer should be presented to the constituent Cortes to purchase the island; and were convinced that we should be powerfully aided in accomplishing the object by the influence of the Spanish bondholders, the Spanish clergy, and the commercial classes in England. Spain is hopelessly bankrupt, and her creditors can have no hope of payment but in the sale of the island. That of the church property to which the Government has resorted, will prove to be only a temporary relief for immediate wants; and besides will give great offence to the clergy. Had Mr. Soulé been instructed according to our report, the question would have become European as well as Spanish, and while we had everything to hope from this fact, we could have nothing to fear. Perhaps, however, Augustus Cæsar Dodge may be able to remove all the clouds which now "lower upon our house."

Gov. Marcy, I am informed from all quarters, is now an active candidate for the Presidency, and when the Presidential maggot invades the brain of the wisest (happily I am not in this category), it prompts him to do many foolish things. Still, however, I do not doubt but that Gov. Marcy honestly differed from us in opinion, and at the first the public seemed to adopt his views. Although never doubting for a moment what would be the final result, I did not expect the reaction would take place quite so soon as it seems to have done.

The Know-Nothings will lose their power and must speedily perish, but whether before the next Presi-

dential election is a question of doubt. It has severed many rotten branches from the tree of Democracy, whose places will be more than supplied by fresh, pure, and vigorous branches.

The news you will find in the public journals. There seems to be but little hope of peace, though the allies have greatly reduced their demands upon Russia. In the present temper of the British people, smarting under their disasters in the Crimea, had peace been concluded upon the terms proposed, this would beyond all question have expelled the existing Ministry from power.

The Emperor and Empress of France while here received me with more than common courtesy. He expressed a warm feeling in favor of our country, and an ardent wish that the friendly relations between the two countries might never be disturbed; all which I reciprocated. The Empress, without being very beautiful, is very fascinating.

Please to remember me very kindly to Mrs. Jones and the family. Miss Lane unites with me in this request, and also desires her kindest regards to yourself. From your friend, very respectfully,

JAMES BUCHANAN.

LEGATION OF THE UNITED STATES,
LONDON, June 1, 1855.

MY DEAR SIR: By the last steamer I received your favor from Washington of the 9th ultimo, and feel greatly indebted to you for the information it contains. Although I have nothing of any importance to com-

municate in return, yet, as you truly say, being "a friend to reciprocity" in correspondence I write now to preserve my reputation.

I am much gratified that you were so well received at Washington; but feel confident that your reception was no better than you deserved. I am rejoiced that your political position is now so elevated, and earnestly hope that all the wishes you have expressed and more, may be realized.

Heaven grant that Wise's anticipations may prove correct, and that he may be triumphantly elected. He is now the great man of Virginia—able, energetic, and eloquent—and his friendship has bound me to him by "cords of steel." We shall not learn the result before the 11th inst. If he has been defeated, still he has cast bread upon the waters which will return to give him triumph after a few days. But I ardently hope to hear of his election.

I am proud of the old Democratic party. In its ascendency the Constitution and the Union are always safe. It has nobly adhered to its principles amidst the storm, and has not degraded itself by compromising with any of the isms of the day. For one, I should gladly receive into its fellowship such Whigs as have been too proud and too honest to become Know-Nothing Free Soilers; but this upon no other understanding than that they should join the party in principle and in heart. We shall have some such converts; but I do not expect them to be very numerous.

I have not yet received an acknowledgment of or answer from the State Department relative to my resignation, to take effect on the 30th of September, nor any intimation of who is to be my successor. If he be

comme il faut, and would arrive a fortnight before the time, I could give him a good start. For my own part, I am very anxious for the arrival of the time when I shall be relieved; and yet I should be ungrateful not to appreciate the kindness of many Englishmen and English ladies.

I am now sitting in a room with a good fire. The weather during this spring has been unusually cold, and many persons here begin to entertain apprehensions for their wheat crop. It now appears to be very unpromising. I cannot imagine a greater calamity for this country than a short crop this year; and I hope, for the sake of the poor and needy, that it may be averted. These have suffered very much during the past winter.

Mr. Fillmore has arrived in this country, but has not yet reached London. I shall not be surprised should he be received with distinguished honors. So much has been said recently of the neglect of our distinguished countryman, in contrast with the royal honors bestowed upon every little sprig of a German principality, that it is quite probable Mr. Fillmore may be made somewhat of a lion. Grund is, I understand, in London, but has not shown himself at the Legation. The arrivals of our countrymen are very numerous on their way to the Paris Exhibition; but this, at least so far, has proved a failure. John Bull still continues to cherish the war spirit. His pride has been deeply wounded by disasters in the Crimea, and the old gentleman will fight manfully to recover his prestige. He at length begins to succeed. With the kindest regard to Mrs. Jones and your family, I remain always sincerely your friend,

JAMES BUCHANAN.

LEGATION OF THE UNITED STATES,
LONDON, NOV. 30, 1855.

MY DEAR SIR: I should sooner have answered your favor of the 12th inst. had I known at the time of its receipt what to say about my return home. It was impossible for me to leave my post in a storm, and now that Mr. Appleton has gone home, I shall be obliged to remain here until the arrival of my successor, or at least until they send me out a Secretary of Legation.

You write in enthusiastic terms of the result of our late election in Pennsylvania, in all which I warmly sympathize. I regretted, however, to observe that our excellent friend Plumer had not a majority of all the votes cast. Our victory was, therefore, not so decided but that active vigilance is required to render our position secure at the Presidential election. We ought to receive into the party without hesitation, those honest and independent Clay Whigs who, without any compromise, are prepared to adopt our principles and battle with us against Knownothingism, Free Soilism, and all the other isms of the day.

I feel indebted to you for the caution you have given me about Mr. Sohl.

I earnestly trust and hope that ere this your old disease has been banished. This is no time for men to get sick who can enact so able and useful a part for your country as yourself. If I read the signs of the time aright, the next Presidential term will be the most important and responsible of any since the days of Washington. Still I entertain no serious fears for the Union, because when the people approach the precipice they will recoil from the abyss before them. Your plan is

excellent for giving to the good and faithful Democrats of Pennsylvania their just share of influence in the Cincinnati Convention. The delegates from our State ought to act as a unit in that Convention, and thus they will be able to exercise a controlling influence in the selection of a candidate. This, in serving the best interests of the country, will redound to their own advantage. Louisiana has done well under all the circumstances, and I expected nothing from Massachusetts and New York; but I confess I have been greatly mortified and disappointed at the result of the election in Maryland.

One good effect of the present flare up between Great Britain and the United States will be the direction of the public mind in this country toward the United States. The ignorance of the English people in regard to us is truly ridiculous. We have now become a topic of discussion in the newspapers, to which I have somewhat contributed, and shall be better known, and we find defenders where formerly we had opponents. When we meet I shall be able to give you amusing anecdotes of the ignorance of people, even in high places, in regard to our country. We are the more of a mystery to them on this account, and therefore the more imposing. They entertain vague apprehensions of our advancing power, and yet there is an undercurrent of self-satisfaction among them because of their having given birth to such a people.

The existing war with Russia is still popular with the masses, though there is not so much feeling on the subject as there was a year ago. They are conscious that their prestige as a military nation has been impaired and they wish to recover it before the close of the war.

Not so, Louis Napoleon. The French arms have acquired new glory, and the war has already made him the foremost man in Europe, with England as a subordinate ally. It is believed that he now desires to make peace.

With my kindest regards to Mrs. Jones and the members of your family, and in the hope that I may ere long enjoy the pleasure of meeting you and them, I remain always, very respectfully, your friend,

JAMES BUCHANAN.

[*Private.*]

LEGATION OF THE UNITED STATES,
LONDON, Dec. 7, 1855.

MY DEAR SIR: I have received your favor of the 18th ultimo, for which accept my thanks. I am rejoiced that you are once more at your post, and, I trust, with renewed health, as you say nothing to the contrary in your letter. I am now anxiously awaiting the President's message, which we hope to receive on Monday the 17th by the steamer from Boston.

Rumors of peace have prevailed here for several days, and from all I can learn they rest upon better foundations than similar rumors have heretofore done. Austria is again the intermediary, and I venture to say that, should her propositions prove acceptable to the French and English Governments, as it is believed they have done, Louis Napoleon will take care that she shall join the allies, in case these propositions should be rejected by Russia. I shrewdly suspect, however, that Austria had consulted Russia before the terms were

proposed. Besides, it would be madness for Russia to continue the war should the forces of Austria be added to those of the allies, and this very circumstance will save the honor of the Czar. From the high price of provisions and the pressure of the war, the poor of this country will suffer dreadfully throughout the present winter.

The *Times*, which is an Ishmaelite, as well as certain journals friendly to the Palmerston administration, while rejoicing that the news from America is so peaceful, still endeavors to keep up the delusion that the events threatening war all proceeded from our country. Upon this false assumption, they attribute them to the mere electioneering designs of the President to secure his renomination and reëlection, and then praise the good sense and sober judgment of the American people for restraining him within the proper bounds by the force of public opinion. This is the key to numerous articles in British journals. The greatest injustice is thus done to the President, and his character thus suffers on this side of the Atlantic. I have already vindicated him warmly whenever the occasion offered, but what can one person do in his intercourse with society to remove prejudices created by the press in this manner? After all, they can do no serious injury at home. Indeed, as I have often remarked, such palpable injustice will increase his popularity among the American people.

Pennsylvania has now the opportunity of enjoying that proud and influential position in the Union to which she is so justly entitled; and I am rejoiced that you fully appreciate it. The best and most trustworthy Democrats in her ranks ought to go to the Cincinnati Convention resolved to act as a unit in nominating

that candidate who, under all the then existing circumstances, will be most likely to succeed, and be best calculated to advance the great interests of the country. You are a much better judge than myself as to future events; but yet I cannot concur with you in opinion that the triumph of the Democratic party in 1856 is beyond a peradventure. Both justice and sound policy require that we should receive into our ranks, with open arms, those national Whigs who agree with us in principle, and who are willing to enter them voluntarily without any compromise. It would be the worst policy in the world to drive them from us by unkindness.

I know that great efforts have been made for some time past to renominate the present President. This I have learned from different portions of the Union. Well, be it so; I have no objection; let his merits and his popularity be fairly weighed at the proper time in comparison with other candidates.

Of Wise I can never speak without grateful emotions. He has been my true, able, active, and efficient friend. His energy, patriotism, and moral courage cannot be excelled, and he has much more prudence than his enemies are willing to concede. I am warmly attached to the man, and, should the occasion ever offer, I shall esteem it a privilege to serve him.

Please to remember me always in the kindest terms to your wife and family. Remember me, also, most kindly to your Democratic colleagues from Pennsylvania, and believe me ever to be sincerely your friend,

JAMES BUCHANAN.

LEGATION OF THE UNITED STATES,
LONDON, Dec. 18, 1855.

MY DEAR SIR: Your favor of the 22d ult. did not reach me until the 10th inst. by the Pacific. I had not time to answer it on Friday last from numerous and pressing engagements, but now embrace the opportunity of addressing you a few lines by the Arago, which will leave Southampton to-morrow. I have scarcely the heart to write. On yesterday, I received the mournful intelligence of the death of my much-loved niece, Mary Baker, in San Francisco. I can scarcely think of anything but this sad event.

I had not supposed, until the receipt of your letter, that you would be a candidate for the United States Senate, though you are well qualified to fill that station with honor to yourself and advantage to the country. Should the choice fall upon you, I shall say Amen! with all my heart.

I had presumed from the manner in which you referred to the subject in one of your late letters that your views were in another and different direction.

Some time before Mr. Appleton left me, I had placed it out of my power to interfere between the candidates *who had been my true and faithful friends.* I was strongly advised to this course by several friends who informed me that the candidates would be entirely satisfied with this conduct, and I declared that I would act upon their suggestion. While I cannot, therefore, interfere, I have, nevertheless, since the receipt of your letter, informed one trusted friend of my high appreciation of your talents, character, and conduct, and I shall write to others in the same strain by the next steamer. This

is no more than the justice which I owe to you, and I cannot go further without violating my word.

I shall now anxiously expect to hear by every steamer of the appointment of my successor. I am heartily tired of my present position, and still more so, if possible, since I have heard of the death of my poor niece.

I presume we shall have the Message on Monday next. It is expected here that it will assume a decided but prudent tone on the Central American questions. The British people are prepared for this, and it will do good. It will be for the American people to say how I have conducted the negotiation until its termination. Ere this you have perceived that our ultimatum has been rejected in all its parts by the Palmerstonian Administration. In the disposition of the people of England, I should not be astonished if public opinion would require the British Government to reconsider its answer to the President's ultimatum and retrace its steps; provided the subject has been presented in a grave and serious aspect, which I have no doubt will prove to be the case.

Prince Esterhazy, the Austrian Ambassador at St. Petersburg, has left Vienna bearing the terms of peace suggested by Austria to France and England and accepted by them. War or peace now depends upon the decision of the Czar. If he be wise, he will accept the olive branch.

With my kindest regards to Mrs. Jones and your family, I remain always, very respectfully, your friend,

JAMES BUCHANAN.

LEGATION OF THE UNITED STATES,
LONDON, Feb. 19, 1856.

MY DEAR SIR: I have just received your favor of the 4th inst., and have only had time to give it a cursory reading. I shall of course remain here until the arrival of Mr. Dallas, whom I expect by the Collins steamer which was to leave New York on the 16th inst. I trust I may not be disappointed. Whether I shall return home immediately after his arrival, or go to Paris and the Continent until the end of March, I have not determined. I am a wretched sailor and always sick at sea, and the roughest and longest passages are made in March. Everybody advises me not to select the season of the equinoctial gales for crossing the Atlantic. Besides, I have not yet been in Paris. I have not determined, however, what I shall do.

I shall direct this letter to Harrisburg, presuming you will be there on its arrival in the United States. Whatever may be the result of the spontaneous exertions of my friends in favor of my nomination, I shall have one source of satisfaction demanding my everlasting gratitude. My own noble State, God forever bless her! has not deserted me in the day of trial, but has covered me with the mantle of her power. Words would be but a vain expression of my feelings toward her noble Democracy; and if I were to employ such as my heart dictates, they would be considered extravagant.

Lord Palmerston, in two recent speeches in the House of Commons on the recruitment and Crampton question has done great injustice both to the Administration and myself. By stating part of the facts and suppressing the remainder inseparably connected with them, he has

given the question a coloring far, very far different from the truth, as will appear when the correspondence is published. In great haste and with high esteem I remain always your friend,

JAMES BUCHANAN.

LEGATION OF THE UNITED STATES,
LONDON, March 7, 1856.

MY DEAR SIR: I have received your favor of the 18th ult., and note your prediction of my nomination. I confess I am not now and never have been sanguine; but time will show.

Well, I have now certain information, through Gen. Campbell, the Consul, that Mr. Dallas and his son, as Minister and Secretary of Legation, will be here in the Atlantic, about the middle of next week. It is my present purpose, soon after his arrival, to pay a brief visit to Paris and the Continent, and to reach home some time in April. It is more than probable I may embark from Havre; but I can settle nothing until Mr. Dallas shall make his appearance. Some friends advise me to remain abroad and others to come home immediately. In this contrariety of opinion I shall take my own course. Being a bad sailor, I do not choose to encounter the equinoctial gales by leaving in the month of March. Besides, it would be absurd for me to return home without having seen Paris.

Mr. Dallas must have great faith in Gen. Pierce's reëlection, or he would not have accepted the mission and brought all his family with him.

I thank you for directing my attention to the subject of the Missouri Compromise. Would it be wise to make

its constitutionality or the revenue a plank in the platform? Would it be good policy to make an assault upon those Democrats who maintained it in opposition to the Kansas-Nebraska bill, provided they are now willing in good faith to maintain the settlement as it exists? The question has been settled by Congress, and this settlement should be inflexibly maintained. We shall need all the strength we can honorably obtain. Then why go behind the existing law; and by doing so drive from our ranks many Northern Democrats, and many honest and independent anti-Free Soil Whigs who are quite willing to maintain that law as it stands?

It is well known how I labored in company with Southern men, to have the Missouri line extended to the Pacific. But it was defeated, and the time for it has forever passed away. The only mode now left of putting down and keeping down the fanatical and reckless spirit of abolition at the North, is to adhere to the existing settlement without the shadow of change, regardless of any storm which may be raised against it. "Nolumus leges Angliæ mutare." This is altogether confidential and for yourself alone. I begin to receive interrogatories from the United States which I shall not answer, however easy this might be. I have now a well-written letter of this character before me from "Mr. James N. Shino," dated "Montezuma, Henrico county, Va., Feb. 11, 1856."

After the receipt of this, when you write, which I trust you will not fail to do, direct to me to the care of the Hon. J. Y. Mason, United States Minister, Paris. Just drop your letter into the Post Office without prepayment, and it will come direct. Ever your friend, very respectfully,

JAMES BUCHANAN.

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